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OCT 30 1990 - Nov. 90

URBAN/MUNICIPAL

AGENDA/MINUTES OF THE CONCIL
OF THE CORPORATION OF THE CITY
OF HAMILTON



URBAN/MUNICIPAL
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J.J. SCHATZ
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

(Agenda) **MEETING OF THE COUNCIL**

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, October 30, 1990
7:30 o'clock p.m.
Council Chambers, City Hall

A G E N D A

URBAN MUNICIPAL

OCT 30 1990

GOVERNMENT DOCUMENTS

1. Opening Prayer

Archdeacon John Rathbone
Rector of All Saints Anglican Church
15 Queen Street South
Hamilton

2. Presentation

Mayor's Award of Merit to Cliff Dumas

3. Certificate of Appreciation

To the City of Hamilton from Mohawk College for the Contribution
to the Diploma Program in Recreation Leadership

4. Proclamation

Diabetes Month - November 1990

5. Minutes

October 9, 1990

6. Petitions and Correspondence

7. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (d) Information Systems Committee
- (h) Finance and Administration Committee

8. Notice of Motion from Previous Meeting

Alderman J. Gallagher

9. Notices of Motion for Next Meeting

10. First Reading of the Bills

11. Second Reading of the Bills - Committee of the Whole

12. Third Reading of the Bills

13. Question Period

14. Adjournment

MINUTES

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, OCTOBER 9, 1990
7.30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Agostino,
Lombardo, Jackson, Merling, Gallagher, Ross, Murray.

ABSENT: Alderman Kiss (Vacation)

His Worship Mayor Robert M. Morrow called the meeting to order.

Reverend Csaba Baksa, John Calvin Hungarian Presbyterian Church, led the Council in prayer.

* * * * *

The following presentations were made:

- (a) Mayor's Award of Merit - Mr. John Burns
- (b) Box 43 Association - Mr. Gerry Hourigan
- Mr. Albert Cooke
- Mr. Glen Crawford
- (c) Civic Award - Provincial
Roller Skating Championship - Melissa Hemlow

* * * * *

His Worship Mayor Robert M. Morrow read the following Proclamations:

- (a) "TOOLS FOR PEACE DAYS" - October 9-November 15, 1990
- (b) "CANADIAN FOOTBALL HALL
OF FAME WEEK" - October 15-21, 1990

* * * * *

The Minutes of the meeting of September 25, 1990, were taken as read and approved.

* * * * *

The following communications were received:

1. Application dated October 4, 1990, from Britannia Decorating and Painting Limited, 179 Stone Church Road West, Hamilton, Ontario, for a change in zoning of property located at 179 Stone Church Road West.

Received.

2. Application dated October 4, 1990, from Frederick and Gwynette Seymour, 60 West Avenue South, Hamilton, Ontario, for a modification to the zoning of property located at 70 West Avenue South.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch that Council move into Committee of the Whole to consider the following Reports, with Alderman Agro in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: 0 - CARRIED.

* * * * *

(A) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRTEENTH REPORT.

Section 11. Re: Promotional Banner for "Canadian Dairy Cycling Challenge".

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

(B) PARKS AND RECREATION COMMITTEE - EIGHTEENTH REPORT.

It was moved by Alderman Murray and seconded by Alderman Ross.

RESOLVED: That Rule 8 of the Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider a matter respecting the proposed amalgamated Fire Station at Macassa Park, Upper Sherman Avenue. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Agostino, Lombardo, Merling, Ross, Murray. - 11.

NAYS: Aldermen Copps, Jackson, Gallagher. - 3. CARRIED.

* * * * *

It was moved by Alderman Murray and seconded by Alderman Ross.

RESOLVED: That the following resolution be added as Item 6 of the EIGHTEENTH Report of the Parks and Recreation Committee for 1990.

6. (a) That approval be given to locate the proposed Fire Station combining the Wentworth and Mohawk Station and the Upper Gage and Queensdale Station in the north-west corner of Macassa Park on Upper Sherman Avenue.

- (b) That the Public Works Department, in conjunction with the Fire Department, host a public information meeting to outline the proposal, prior to project implementation, in the Macassa neighbourhood.
- (c) That the \$800,000. in funds available for the acquisition of land for the fire station be transferred to the 5% Park Dedication Fund to compensate for costs associated with the use of Macassa Park as the fire station site and that a portion of these funds be used to develop a proper soccer facility on the Hamilton Mountain.
- (d) That approval be given to cancel the contract awarded to Dufferin Construction Limited for the construction of a "park user" parking lot, at a cost of of \$12,000. penalty payment to Dufferin, and that the funds approved for the 1990 implementation of this parking lot be held over to coincide with the construction of the fire station. -

YEAS: Aldermen Hinkley, Drury, Lombardo, Merling, Ross, Murray. - 6.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Copps, Agostino, Jackson, Gallagher. - 8. LOST.

* * * * *

(C) PLANNING AND DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT.

Section 6.

Re: Zoning Application 90-57 - Property Located at 25 Hester Street.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Hinkley, Drury, Agostino, Lombardo, Jackson, Merling, Ross, Murray. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

Sections 11 and 12.

Re: Zoning Applications 88-124 and 90-31 - Property Located at 694, 696 and 710 Upper James Street.

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: That Sections 11 and 12 of the SEVENTEENTH Report of the Planning and Development Committee be amended by deleting the words "DENIED for the following reasons", and substituting in lieu thereof the word "APPROVED" and, further, by deleting Subsections (a), (b) and (c) and inserting in lieu thereof the following:

- (a) That an Official Plan Amendment be processed to redesignate the lands from "RESIDENTIAL" to "COMMERCIAL" and to create a Special Policy Area for limited commercial uses.
- (b) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
- (c) That the "H" (Community Shopping and Commercial, etc.) District regulations be modified to include limited commercial uses within the existing building in accordance with uses set out in the "Upper James Land Use Review".
- (d) That Schedule "A" to Site Plan Control By-law 79-275, as amended by By-law 87-223, be amended by adding the subject lands thereto. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Agostino, Lombardo, Jackson, Ross, Murray. - 9.

NAYS: Aldermen McCulloch, Drury, Copps, Merling, Gallagher.
5. - CARRIED.

* * * * *

Section 13.

Re: Demolition of Units at 266-280 King
Street East.

It was moved by Alderman Lombardo and seconded by Alderman McCulloch.

RESOLVED: That Section 13 of the SEVENTEENTH Report of the
Planning and Development Committee be referred back. -
CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman
Gallagher.

RESOLVED: That Rule No. 8 of the Procedural By-law No. 80-203 be
invoked for this meeting of City Council in order to
permit consideration of a resolution respecting the
definition of "Family" in the Zoning By-law. - CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Gallagher.

RESOLVED: That the following be added as Section 15 of the
SEVENTEENTH Report of the Planning and
Development Committee.

15. That the Province be requested to amend the
Planning Act to permit municipalities to establish
a definition of "Family" in their respective Zoning
By-laws that meet their Community needs.

* * * * *

It was moved by Alderman Lombardo and seconded by Alderman Agostino.

RESOLVED: That the resolution moved by Alderman Ross in connection with Section 15 of the SEVENTEENTH Report of the Planning and Development Committee respecting an amendment to the Planning Act relative to the definition of "Family", be referred to the Planning and Development Committee. -

YEAS: Mayor Morrow; Aldermen Agro, Hinkley, Drury, Copps, Agostino, Lombardo. - 7.

NAYS: Aldermen Cooke, Jackson, Gallagher, Ross. - 4.
CARRIED.

* * * * *

(E) CITY OF HAMILTON LICENSING COMMITTEE - SIXTH REPORT.

* * * * *

(F) FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-THIRD REPORT.

Section 6.

Re: Canadian Abortion Rights Action
League - Use of City Hall Facilities.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Copps, Agostino, Lombardo, Gallagher, Ross. - 10.

NAYS: Alderman Jackson. - 1. CARRIED.

* * * * *

Section 8.

**Re: Ontario Recreation Society Conference
Civic Luncheon.**

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury,
Agostino, Lombardo, Jackson, Gallagher. - 9.

NAYS: Alderman Copps. - 1. **CARRIED.**

* * * * *

Section 20.

**Re: Ontario Non-Profit Housing
Association Conference - Civic
Hospitality.**

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury,
Agostino, Lombardo, Merling, Gallagher, Ross, Murray. -
11.

NAYS: Alderman Copps. - 1. **CARRIED.**

* * * * *

Alderman Hinkley declared personal interest in, took no part in the
debate and refrained from voting on Section 20. Mrs. Hinkley's
Company is Conference Co-Ordinator for this Association.

* * * * *

Section 22.

**Re: Ontario Music Educators Association
Inc. - Request for Grant.**

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury,
Agostino, Lombardo, Merling, Gallagher, Ross, Murray. -
11.

NAYS: Alderman Copps. - 1. **CARRIED.**

Section 27.

Subsection (c).

Re: Hamilton Harbour Commission.

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: That Subsection (c) of Section 27 of the TWENTY-THIRD Report of the Finance and Administration Committee be amended by adding the following, after the word "M.P.'s" in the last line:

"and that all local M.P.'s, including Shirley Martin, Geoff Scott, and Bill Kempling, be invited to meet with City Council to discuss matters relating to Hamilton Harbour."
CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

* * * * *

NOTICE OF MOTION

Alderman J. Gallagher gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: That staff be directed to prepare the 1991 budget estimates on the basis of a zero percent increase over the 1990 estimates for the City of Hamilton.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: That the following Bills be now read a first time:

A-127, A-128,
C-139, C-140, C-141, C-142, C-143, C-144,
H-110.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Copps, Agostino,
Lombardo, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman McCulloch, and carried, that
Council move into Committee of the Whole (second reading) to consider the following
Bills, with Alderman Agro in the chair.

A-127, A-128,
C-139, C-140, C-141, C-142, C-143, C-144,
H-110.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Copps, Agostino,
Lombardo, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: That the Report of the Committee of the Whole (second reading) on the
Bills, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Copps, Agostino,
Lombardo, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED:that the following Bills be now read a third time:

A-127, A-128,
C-139, C-140, C-141, C-142, C-143, C-144,
H-110.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Copps, Agostino,
Lombardo, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

* * * * *

City Council adjourned at 10.20 o'clock, p.m.

* * * * *

CORRESPONDENCE

Correspondence

1. Letter from the Mr. Raymond Lauze, 1211 Garthdale Court, Oakville, Ontario dated September 29, 1990 respecting Native Rights.

Recommendation: **Be Referred to the Finance and Administration Committee**

2. Resolution from the City of Etobicoke respecting the Revitalization of the Etobicoke Waterfront and the Crombie Commission Report on the Future of the Toronto Waterfront.

Recommendation: **Be Referred to the Planning and Development Committee**

3. Letter from the City of Toronto respecting the Implementation and Enforcement of the CFC (Chlorofluorocarbon) By-law.

Recommendation: **Be Referred to the Transport and Environment Committee**

4. Resolution from the City of North York respecting the Goods and Services Tax - Federal Government.

Recommendation: **Be Referred to Finance and Administration Committee**

5. Application from Presbyterian Residences (Hamilton) Inc., c/o 1015 - 135 James Street South, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "DE" (low Density Multiple Dwellings) District for property on the west side of Rice Avenue, South of Chedmac Drive.

Recommendation: **Be Received**

6. Application from Britannia Decorating and Painting Limited, 179 Stone Church Road West, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 179 Stone Church Road West.

Recommendation: **Be Received**

7. Application from Frederick and Gwynette Seymour, 60 West Avenue South, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc) District for 70 West Avenue South.

Recommendation: **Be Received**

8. Application from Don Peppino Foods Inc., c/o 900 - 105 Main Street East, Hamilton, Ontario for a modification to the "M-12" (Prestige Industrial) District regulations for property located at 1515 Upper Ottawa Street.

Recommendation: **Be Received**

9. Application from Chrysler Canada Limited, P.O. Box 1621, Windsor, Ontario for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District modified for lands located north of Stone Church Road West and west of Upper James Street.

Recommendation: **Be Received**

10. Application from Luciano Scornaienchi, 177 Annabelle Street, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1258 Upper Wentworth Street.

Recommendation: **Be Received**

11. Application from Badima & Bosc Corporation, 19 Aikman Avenue, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for 19 Aikman Avenue.

Recommendation: **Be Received**

12. Application from Cynthia Watson, 52 Muscot Drive, Stoney Creek, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 111 Prospect Street South.

Recommendation: **Be Received**

September 29, 1990
Oakville, Ontario L6H 2M1

City of Hamilton
71 Main Street West
HAMILTON, Ontario L8N 3T4

RECEIVED

OCT - 5 1990

CITY CLERKS

Your Worship, Members of Council

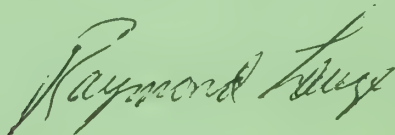
The attached is a copy of a resolution I proposed to the Corporation of the Town of Oakville on August 4, 1990, which was adopted by Council on September 17, 1990. Also enclosed are copies of the letters sent by the Corporation to the Prime Minister, the Minister of Indian Affairs and the local Member of Parliament.

Most would agree that Natives have legitimate grievances and claims that must be addressed. In my opinion, the time to resolve these matters is at a premium. Our government in Ottawa can no longer play "ostrich" with First Nations grievances. The social fabric of this country built over the past few hundred years, with the much needed assistance of First Nations in the early days, could be gravely damaged by our inaction.

I urge you, therefore, ladies and gentlemen, to adopt a similar resolution. Confrontation, rather than dialogue, will surely lead to disaster and shame for our country.

Thank you for your kind consideration of this proposal.

Yours sincerely,



Raymond Lauzé,
1211 Garthdale Court,
Oakville, Ontario L6H 2M1



THE CORPORATION OF THE TOWN OF OAKVILLE

1225 TRAFALGAR ROAD
P.O. BOX 310
OAKVILLE, ONTARIO
CANADA L6J 5A6
TEL. (416) 845-6601

RECOMMENDATION FROM THE GENERAL COMMITTEE THAT WAS
APPROVED BY THE COUNCIL OF THE TOWN OF OAKVILLE AT ITS
MEETING ON SEPTEMBER 17, 1990

Item 19 Raymond Lauze, 1211 Garthdale Court, Oakville
(August 4, 1990) Re: Native Rights

Moved by Kevin Flynn

That this Committee recommend that Council endorse the following resolution: "We the Members of Council for the Town of Oakville, Ontario, in the Region of Halton, urge the Federal Government to deal expeditiously, in a spirit of justice and respect for our First Nations, with ALL land claims and other matters in order to reach final honorable agreements." and that copies of the resolution be sent to the Prime Minister, the Member of Parliament for Oakville and the Minister of Indian and Northern Affairs.

Carried

Certified True Copy
Michael Wood
CLERK



City of Etobicoke

OFFICE OF THE CLERK
416/394- 8075

2.

OCT 15 1990

CITY CLERKS

October 12th, 1990.

TO MUNICIPALITIES IN ONTARIO WITH
OVER 50,000 POPULATION

Subject: City of Etobicoke Waterfront Plan and the Crombie
Commission Report on the Future of the Toronto
Waterfront

For your information and in accordance with the direction of Council, enclosed please find a copy of Resolution Number 397, which was passed on September 17th, 1990.

Council is concerned that the recommendations set forth in the Crombie Commission Report represents an intrusion into the City's planning jurisdiction and is requesting the support of your Municipality.

Yours truly,

Cathie L. Best,
Deputy City Clerk.
/pt
Encl.



City of Etobicoke

Moved by Councillor Gloria Lindsay Luby

Session No 17

Seconded by Councillor Doug Holyday

Resolution No 397

Date September 17th, 1990

THAT recommendations from Committee of the Whole relative to the Motel Strip be adopted as follows:

WHEREAS the revitalization of the Etobicoke Waterfront is a matter of critical concern to the Corporation of the City of Etobicoke and its citizens; and

WHEREAS the Motel Strip Secondary Plan was forwarded to the Minister of Municipal Affairs on March 3, 1988 and subsequently referred to the Ontario Municipal Board on July 19, 1988; and

WHEREAS the Minister has advised the Board that the Province will declare the Plan to be a matter of provincial interest pursuant to s. 17(19) of the Planning Act, 1983; and

WHEREAS the presentation of the Motel Strip Secondary Plan to the Ontario Municipal Board represented the culmination of a six year effort by the City to formulate development policies intended to revitalize that portion of the Etobicoke Waterfront; and

WHEREAS a hearing date of November 19, 1990 to deal with the City's plan for the Motel Strip was set by the Board in consultation with all interested parties, including the Province; and

WHEREAS during the course of the last one and one-half years the City has worked in a co-operative fashion with both the Province and Metro on planning issues of mutual concern relating to the Motel Strip; and



City of Etobicoke

Moved by Councillor Gloria Lindsay Luby

Session N^o 17

Seconded by Councillor Doug Holyday

Resolution N^o 397

Date September 17th, 1990

- 2 -

WHEREAS the prospects for the Motel Strip hearing commencing on November 19, 1990 has now been placed in serious jeopardy on account of the Province's on-going failure to declare its interest in the Motel Strip; and

WHEREAS the Second Interim Report of the Royal Commission on the Future of the Toronto Waterfront was released on September 12, 1990; and

WHEREAS the Report has recommended, inter alia, that a development freeze be established for south Etobicoke pending completion of a comprehensive Etobicoke Waterfront Plan; and

WHEREAS the City has serious concerns arising from the recommendations set forth in the Crombie Report concerning south Etobicoke; and

WHEREAS the recommendations set forth in the Report represents an intrusion into the City's planning jurisdiction;

NOW THEREFORE BE IT RESOLVED:

1. THAT the Province be requested forthwith to declare its intent with respect to the Motel Strip hearing scheduled for November 19, 1990.
2. THAT staff be directed to review the recommendations of the Crombie Report and report back to the next meeting of the Committee of the Whole on their findings.
3. THAT the City advise the Province that a response to the Crombie Report will be forwarded in due course.

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City of Etobicoke

Moved by Councillor Gloria Lindsay Luby

Session N^o 17

Seconded by Councillor Doug Holyday

Resolution N^o 397

Date September 17th, 1990

- 3 -

4. THAT a copy of this Resolution be forwarded to the Municipality of Metropolitan Toronto and the Metropolitan Toronto and Region Conservation Authority in addition to the Association of Municipalities of Ontario and all municipalities with a population in excess of 50,000 and that they be requested to support the City's position in this matter.

Carried

G. Bruce Sinclair

Mayor



CITY OF TORONTO

RECEIVED

OCT 15 1990

Department of th

City Hall, Toronto, Ontario, Canada

Telephone 392-7026

Fax 392-6990

TDD 392-7354

3.

CITY CLERKS

Barbara Caplan / City Clerk

Sydney Baxter / Deputy City Clerk

Reply to: C. Dodds, 392-7031

Please refer to: 90exec22-31:4

October 10, 1990

TO: ALL ONTARIO MUNICIPALITIES
WITH A POPULATION OVER 50,000

City Council at its meeting held on October 1 and 2, 1990, gave consideration to the attached Clause 31 contained in Report No. 22 of the Executive Committee, entitled "Implementation and Enforcement of the CFC (Chlorofluorocarbon) By-law No. 30-89".

During consideration of this Clause, Council also had before it a report (September 27, 1990) from the City Solicitor.

Council adopted the following recommendations:

1. That By-law No. 230-89, as amended, be repealed and replaced with the draft by-law attached to the report (September 27, 1990) from the City Solicitor, that such draft by-law be approved, and authority be granted for the introduction of the necessary Bill in Council to implement the draft by-law, and further that City Council approve the establishment, by the Medical Officer of Health, of temporary personnel positions to implement and enforce the by-law, as described in the joint report (September 12, 1990) from the Medical Officer of Health and the City Solicitor.
2. That the City Solicitor be authorized to continue to seek special legislation from the Province by way of amendment of the City of Toronto Act, substantially in the form of draft legislation proposed on February 9, 1989, with the exception that Section 1 be amended in accordance with this report (Section 3.3).

October 3, 1990

3. That the joint report (September 12, 1990) from the City Solicitor and the Medical Officer of Health be disseminated to all Ontario municipalities with populations greater than 50,000 people.
4. That the Medical Officer of Health and the Executive Director, Management Services Department, report to Executive Committee with a detailed strategy and budget requirements to give effect to the implementation and enforcement of the amended by-law as soon as possible.
5. That the City Solicitor, in consultation with Councillor O'Donohue and the Medical Officer of Health, report further on including in the by-law, 'methylchloroform' and 'methyltetrachloride'.

Yours truly,


City Clerk

/bb
IR

Encl.

c.c. Medical Officer of Health
City Solicitor
Executive Director of Management Services
Budget Review Group
Councillor O'Donohue



CITY OF NORTH YORK

5100 YONGE STREET

NORTH YORK

ONTARIO

M2N 5V7

4.

RECEIVED

OCT 18 1990

October 4, 1990

CITY CLERKS

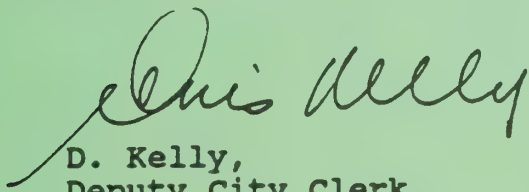
TO ALL CANADIAN MUNICIPALITIES

RE: FEDERAL GOVERNMENT - GOODS AND SERVICES TAX. (36)

We enclose Resolution No. 90-49 from the Minutes of the Meeting of North York Council held October 3, 1990, which is self-explanatory.

We draw your attention to the recommendations contained in the last three paragraphs of the Resolution.

Yours truly,


D. Kelly,
Deputy City Clerk

BL:db

C I T Y O F N O R T H Y O R K

October 3, 1990

R E S O L U T I O N

90-49

Lastman - Yuill

WHEREAS the Federal Government is determined to impose its Goods and Services Tax despite the public outcry;

AND WHEREAS it is widely believed that public opinion has swelled to 80% of Canadians opposed to the G.S.T.;

AND WHEREAS Canadian taxpayers feel as though they are being taxed to death;

AND WHEREAS North York taxpayers and the Corporation of the City of North York will be adversely impacted by the G.S.T.;

AND WHEREAS the Federal Government will be spending over \$260 million in 1990-91 alone for salaries and promotion to implement the G.S.T. which is an outrageous waste of our tax dollars;

AND WHEREAS the Country is on the verge of a serious and deepening financial recession which will be seriously aggravated by this untimely tax;

THEREFORE BE IT RESOLVED that North York Council inform the Federal Government and the Prime Minister's office that it strongly opposes the implementation of the Federal Goods and Services Tax at this time;

AND BE IT FURTHER RESOLVED that the Clerk forward North York Council's Resolution to all 4,400 municipalities in Canada as quickly as possible and urge all municipal councils to endorse our Resolution and voice their concern in the strongest terms possible to the Prime Minister and Federal Members of Parliament;

AND BE IT FURTHER RESOLVED that the Clerk request all the municipalities to provide North York with a copy of their Council's Resolution respecting the G.S.T. and the date on which it was sent to the Federal Government;

AND BE IT FURTHER RESOLVED that the Federal Government be requested to take the necessary action, including the substantial cutting of Government programs, to eliminate the Federal deficit and thereby eliminate the need for this new and burdensome tax.

C A R R I E D

ABSENT: Nil

(Sgd.) D. Kelly
Deputy City Clerk

(Sgd.) J. McGuffin
Acting Mayor

10/30/90

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTEENTH** Report for 1990 and respectfully recommends:

1. That Council reaffirms its original position respecting GO Train Service to Hamilton and resolves as follows:

THAT WHEREAS all projects of Ontario Government Ministries and Agencies must conform to the Environmental Assessment Act; and

WHEREAS lengthy delays for approval of the GO Train Project for Hamilton would result in a negative economic impact on the City of Hamilton and surrounding communities;

NOW THEREFORE BE IT RESOLVED that the City of Hamilton petition the Provincial Government; the Honourable Bob Rae, Premier of Ontario; and the Honourable Ruth Grier, Minister of the Environment to review the current timetable for the release of the Environment Review to ensure that the project to provide GO Train Service to Hamilton is proceeded with in an expedient fashion.

2. (a) That an Offer to Purchase executed by the Regional Officials on September 24, 1990 and scheduled for closing on or before January 7, 1991 for the purchase of part of the property at 957 Upper Paradise Road for the sum of \$1.00, required for road widening purposes be approved and completed.

NOTE: Subject parcel has a frontage along the easterly limit of Upper Paradise Road of 180.966 metres (593.72 feet), more or less, by a depth of 5.182 metres (17 feet), more or less, shown as Part 5 and part of Part 6 on the attached copy of Plan 62R-10593. The purchase price of \$1.00 is to be credited to Account No. CH4X501 00102 (Sale of Land - Property Purchases).

- (b) It is understood and agreed that this parcel of land is being sold to the Region for the widening of Upper Paradise Road.

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3. (a) That the Public Works Department encourage businesses, fast food outlets and variety stores to assist in dealing with the litter and paper problem by supplying litter containers at strategic locations on the road allowance where the owner of a business will agree to empty the litter container regularly (daily).
- (b) That \$10,000.00 be transferred from Account No. 60510 56339 Water Delivery to a new Account No. 60128 56210 Fabrication of Litter Containers.
4. That the Country Music Week '91 Committee be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, August 12, 1991 to Monday, August 19, 1991, with the following message:

"COUNTRY MUSIC WEEK '91
SEPTEMBER 9-15"
5. That the Mayor and City Clerk be authorized and directed to execute the necessary documents for the discharge of the Grading and Maintenance of Streets and Culverts Agreement registered on title as Instrument No. 429194 at 143 Chesley Street, Hamilton.
6. (a) That the construction of a combined curb and concrete sidewalk with an asphalt granular base roadway on part of Ridge Street from Chipman Avenue to approximately 57m south, be proceeded with as a local improvement pursuant to Section 12 of the Local Improvement Act.
- (b) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton, once all the necessary approvals have been received.
- (c) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

NOTE: Financing for this project has been previously dealt with.

7. (a) That the following City lands be incorporated into various streets as follows:

Mount Pleasant Avenue	Part 1, Plan 62R-10413
Donn Avenue	Part of Part 6, Plan 62R-9499
Highridge Avenue	Part of Part 6, Plan 62R-9499
Donn Avenue	Part 10, Plan 62R-9499
- (b) That the By-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Engineering be authorized and directed to register the By-laws.
8. (a) That the City grant permission to the Board of Education to cross Part 13 (0.30m reserve) on Reference Plan 62R-11311 at the south limit of Upper Wentworth Street in order that they may maintain their interior lands.
- (b) That the Mayor and City Clerk be authorized to execute the necessary documents, with the Board of Education, to grant permission for the Board to cross the 0.30m reserve.
9. (a) (i) That the City Solicitor be directed to prepare a By-law requesting CP Rail to stop train whistling at the grade crossing situated at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, 31.99, Welland Subdivision);
- (ii) That the City Solicitor be directed to make an application to the National Transportation Agency under Sub-section 230 (1) of the Railway Act for an order requiring CP Rail to stop train whistling at the grade crossing situated at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, 31.99 Welland Subdivision);
- (b) That the Minister of Transport Canada be petitioned by City Council to issue an order under the authority of the Railway Safety Act or the Transport Act, or whatever other legislation may be appropriate requiring CP Rail to stop train whistling at the grade crossing situated at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, 31.99 Welland Subdivision) or, in the alternative, to request the Governor in Council to issue such an order.

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10. That the School Crossing Guard which was assigned to the intersection of Southbend Road and Upper Wellington Street on a temporary basis, be retained permanently.
11. That the application of Mr. Gary Bennett, Manager of Sunrise Lodge Retirement Home, to lease a portion of the boulevard Park Street South adjacent to Nos. 160 - 164 Park Street South, be approved provided that:
 - (a) The applicant pays the annual fee in accordance with the fee structure approved by City Council on March 25, 1986 (current rate is \$53.35 per year) plus taxes, if any in addition to the \$10.00 encroachment insurance approved by City Council on February 14, 1984.
 - (b) The owner pays a one-time \$25.00 registration, as approved by City Council on January 14, 1986.
 - (c) The owner pays a one-time \$160.05 processing fee, as approved by City Council on March 27, 1990.
 - (d) The owner complies with the requirements as set out in the policy approved by City Council on June 24, 1975, respecting using a portion of the road allowance for parking purposes.
 - (e) The driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) The owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, cost, damages, expenses and loss.

10/30/90

12. That the application by Graham Sales and Leasing to lease a portion of the boulevards on East 33rd Street and Crockett Street adjacent to No. 63 East 33rd Street, be approved provided that:
 - (a) The applicant pays the \$320.10 annual fee in accordance with the fee structure approved by City Council on March 25, 1986, in addition to the \$10.00 encroachment insurance charge approved by City Council on February 14, 1984.
 - (b) The owner pays a one time \$25.00 registration fee as approved by City Council on January 14, 1986.
 - (c) The owner pays a one time \$160.05 processing fee, as approved by City Council on March 27, 1990.
 - (d) The owner complies with the requirements as set out in the policy approved by City Council on June 25, 1975, respecting using a portion of the road allowance for parking purposes.
 - (e) The parking area be constructed and maintained at the owner's expense.
 - (f) The owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims demands, costs, damages, expenses and loss.
13. That the City Traffic By-law No. 89-72 be amended to provide the following:
 - (a) That a policy be adopted to allow residents who are confined to their homes such that they rely on others for essential services, to obtain, at no charge, special parking permits which they may give their attendants to allow them to park their vehicles within existing "Permit Parking" areas in the block in front of the applicants' homes, for a maximum length of time of two hours, while the services are being performed.
 - (b)
 - (i) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m. Monday to Friday" regulation be implemented on the north side of Laurier Avenue between Columbia Drive and Delmar Drive; and
 - (ii) That a "No Stopping" regulation be implemented on the south side of Laurier Avenue commencing at a point 138 feet east of Columbia Drive and extending to a point 175 feet easterly therefrom.

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- (c) That the existing "30 minute Parking Time Limit; 7:00 a.m. to 5:00 p.m. Monday to Saturday" regulation on the east side of MacNab Street North between Mulberry Street and Colbourne Street, be revised such that the regulation is in effect 24 hours a day, Monday to Saturday.
- (d) That the "Permit Parking" regulation approved for the west side of Grosvenor Avenue North commencing at a point 236 feet north of Dunsmure Road and extending to a point 23 feet northerly therefrom, not be implemented.
- (e)
 - (i) That a "No Stopping" corner clearance be implemented on the east side of Glen Echo Drive commencing at Loyalist Drive and extending to a point 68 feet northerly therefrom; and
 - (ii) That a "No Stopping" corner clearance be implemented on the east side of Glen Echo Drive commencing at Loyalist Drive and extending to a point 118 feet southerly therefrom.
- (f) That the existing "No Stopping" regulation on the west side of Emerald Street North between Robert Street and a point 52 feet southerly therefrom, be rescinded to allow unrestricted parking in this area.
- (g)
 - (i) That a "Permit Parking" regulation be implemented on the south side of Burton Street commencing at a point 104 feet east of Emerald Street North and extending to a point 22 feet easterly therefrom; and
 - (ii) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mr. Stanley Skizek, 68 Burton Street.
- (h)
 - (i) That a School Bus Loading Zone, 7:00 a.m. to 6:00 p.m. Monday to Saturday" regulation be implemented on the south side of Lawnhurst Drive commencing at a point 156 feet west of the west curbline of the east leg of Lawnhurst Drive and extending to a point 120 feet westerly therefrom; and
 - (ii) That the existing school bus loading zone on the north side of Limeridge Road East from a point 21 feet west of the east curbline of Leggett Crescent to a point 125 feet westerly therefrom be rescinded.

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- (i) (i) That a "No Stopping", School Bus Loading Zone" regulation be implemented on the south side of Bendamere Avenue commencing at a point 50 feet west of Columbia Drive and extending to a point 80 feet westerly therefrom; and
 - (ii) That a "No Stopping, School Bus Loading Zone" regulation be implemented on the south side of Bendamere Avenue commencing at a point 210 feet west of Columbia Drive and extending to a point 40 feet westerly therefrom; and
 - (iii) That a "No Stopping, School Bus Loading Zone" regulation be implemented on the south side of Bendamere Avenue commencing at a point 322 feet west of Columbia Drive and extending to a point 120 feet westerly therefrom.
- (j) That eastbound traffic on Rowena Court be required to stop for northbound and southbound traffic on Quaker Crescent.
- (k) That eastbound traffic on Florence Street be required to stop for northbound and southbound traffic on Ray Street.
- (l) (i) That an all-way stop control be implemented at the intersection of Bay Street North and Strachan Street.
- (ii) That an all-way stop control be implemented at the intersection of MacNab Street North and Burlington Street.
- (iii) That a 3-way stop control be deleted at the intersection of Bay Street North and Macauley Street West.

10/30/90

14. That leave be granted to introduce the following Bills:

- | | |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill A-129 | A By-law to Incorporate the Southerly 81 Metres of Part 1 on Plan 62R-10413 into Mount Pleasant Avenue |
| Bill A-130 | A By-law to Incorporate Part of Part 6, Plan 62R-9499 into Donn Avenue |
| Bill A-131 | A By-law to Incorporate Part of Part 6, Plan 62-9499 into Highridge Avenue |
| Bill A-132 | A By-law to Incorporate Part 10, Plan 62R-9499 into Donn Avenue |
| Bill A-133 | A By-law to Amend By-law No. 89-72 to Regulate Traffic |
| Bill A-134 | A By-law to Amend By-law No. 89-72 to Regulate Traffic |
| Bill A-135 | A By-law to Amend By-law No. 89-72 to Regulate Traffic |
| Bill A-136 | A By-law to Amend Traffic By-law No. 89-72, Parking of Motor Vehicles on Private and Municipal Property No. 89-75, Fire Routes By-law No. 89-73
Respecting Parking Violation Penalties |

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

**Tina Agnello, Secretary
October 22, 1990**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINETEENTH** Report for 1990 and respectfully recommends:

1. (a) That in order to focus on "Arts in Hamilton", approval be given to present the 1990 and 1991 "Hamilton Arts Awards" during Arts Awareness Month, May 1991.

(b) That funds for the 1990 Art Award in the amount of \$500 be set up for payment in 1991.
2. That until such time as the public art policy draft is completed and approved by City Council, the Arts Advisory Sub-Committee provide comments or assistance on public art issues.
3. That the report entitled "Arts Grants Application Review Process", appended hereto as Schedule "A" be approved as an addendum to the Municipal Arts Policy of Hamilton, which was adopted by City Council on 1989 October 10.

NOTE: This addendum provides for the documentation of the Arts Advisory Sub-Committee's role in reviewing grant applications.
4. That the City of Hamilton do all within their power to see that the proposed Goods and Services Tax (G.S.T.) be waived from all aspects of the Arts Business.
5. (a) That, the City of Hamilton continue with acquisition of lands necessary for the development of the Crown Point East Neighbourhood Priority One Park;
and

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- (b) That, Crown Point East and McAnulty Neighbourhoods become the next priority under the Parks Expenditure Policy for the purpose of implementing the Provincial P.R.I.D.E. Programme.

NOTE: Phases I and II of the Crown Point East/McAnulty P.R.I.D.E. Programmes have been approved by the Planning and Development Committee for inclusion in the 1991 Capital Budget Submission.

- 6. That a purchase order be issued to Electrical Maintenance Services, Hamilton, in the amount of \$21 112 for Pathway Lighting at Highview Park, corner of East 45th Street and Brucedale Avenue, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Highview Park Redevelopment Account No. 703 5816.

- 7. (a) That approval be given to enter into an encroachment agreement with the Hamilton Street Railway Company (H.S.R.) for a parcel of City owned land located at the north-east corner of Upper Wentworth Street at South Park. The land containing 5.95 square metres (64 square feet), more or less, and for the singular purpose of accommodating a neighbourhood bus shelter.
- (b) That the Mayor and City Clerk be authorized to execute an agreement acceptable to the City Solicitor.

NOTE: It is understood and agreed that removal of the bus shelter is subject to thirty (30) days written notice.

- 8. (a) That the leasing of 122 Province Street to Marie Louise Lamarche be approved. The tenancy is to commence on 1990 September 01 at a one time rental of \$150 due to cleaning and decorating required which has been agreed to be carried out by the Tenant. Commencing 1990 October 01, the monthly rental will be \$375 including taxes of \$1 098.43.
- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

NOTE: The property was purchased as part of an assembly for the proposed Crown Point East Park.

9. (a) That the Hamilton Hornets be permitted to install a portable precast cement storage building measuring 10' x 16' adjacent to the east side of their present clubhouse.
- (b) That the Legal Department be directed to incorporate this storage unit into the contract with the Hamilton Hornets.
10. (a) That the Director of Public Works be authorized and directed to install Park Development Project Information Signs during the construction of park development and facility projects.
- (b) That content of the sign shall advertise the name of the park/project under development; a telephone number to contact for further information; and include following statement(s):

"This Project brought to you by The Taxpayers of the City of Hamilton (and where applicable) in conjunction with the Friends of the Parks Funding Program (and further where applicable and upon agreement) the name of the private funding sources)".
11. That the Volunteer Policy for the Museums of the City of Hamilton Appended hereto as Schedule "B", be approved.
12. That a letter be forwarded to the Minister of Culture and Communications requesting a reassessment of the 1990 Operating Grant for the Hamilton Museum of Steam and Technology.
13. That approval be given to the Children's Museum to issue "Fun" checks (or complimentary admission for another day) for visitors who may not be accommodated at the Museum during public hours due to overcrowding or time restraints.
14. That the Chairman or his designate be authorized to travel with the Fit Trek delegation to the USSR - Penza, 1990 November 16-25, subject to the availability of funds, to participate in preliminary meetings on Sister City Twinning for Fit Trek; to prepare for a Soviet delegation visiting Hamilton in January 1991, and to prepare for any future economic or participation exchanges.

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NOTE: For the Information of the Members of Council the Parks and Recreation Committee Chairman has designated the Chairman of Economic Development as the appropriate representative to pursue the economic, planning and Sister City relationships with Penza, USSR.

15. For the information of the Members of City Council the Parks and Recreation Committee appointed Mr. David Doherty as a Citizen Member to the Hamilton Historical Board for the term expiring 1991 November 30.

16. That leave be granted to introduce the following Bill:

Bill B-105 By-law respecting Roxborough Centre Senior Citizens Centre.

RESPECTFULLY SUBMITTED,

Lynn Dale,
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

1990 October 23

SCHEDULE "A"

ARTS GRANTS: APPLICATION REVIEW PROCESS

1. PROLOGUE

- 1.1 The Arts Advisory Sub-Committee requests that the City of Hamilton continue to approve the Sub-Committee's role in the review of arts grants applications.
- 1.2 This report will outline the review process from the Sub-Committee's perspective. It is the wish of the Sub-Committee that it fulfil an advisory role to the Parks and Recreation Committee and to Council by providing information and comments, and an advocacy role to the arts community by supporting the excellence, diversity and vitality of the arts in the City of Hamilton.
- 1.3 The Sub-Committee supports the use of City funds for grants to arts organizations. This is consistent with the arts policy's stated principles, i.e.
 - * Partnerships
 - * Excellence
 - * Awareness and Appreciation
 - * Fiscal Responsibility
 - * Access.(See attached.)
- 1.4 The original policy objectives 12, 13, 14, 15, 18 (Funding section) are herein revised for presentation as an addendum in the 1990 updated version of "POLICY FOR THE ARTS". (Objectives 12, 13, 14, 15 and 18 are attached for your reference.)

2. CRITERIA OF GRANTS POLICY AND APPLICATION FORM

All Arts Grants applications must meet the criteria as defined in the Grants Application Form.

Applications missing any of the criteria will not be considered for a Grant.

Organizations requesting grants of \$5 000 or more must include an audited financial statement of the previous year's activities.

The Grants Co-ordinator, Treasury Department, screens all applications upon receipt to ensure that criteria are met, e.g.

- * applications received on or before the published deadline
- * information accurate and complete

3. REVIEW PERIOD

Submitted applications from arts organizations are available at City Hall to members of the Arts Advisory Sub-Committee over a period of three weeks. It is expected that Sub-Committee members will avail themselves of this opportunity to study the documents.

4. REVIEW PROCESS

4.1 The information supplied by applicants will be treated in strictest confidence.

4.2 The municipal guidelines concerning conflict of interest will be respected. Members of the Sub-Committee with a direct interest in any application for funds will declare this information and abstain from commenting on the application.

4.3 Comments from the Sub-Committee will be forwarded to the Grants Co-ordinator and the Grants Review Group in the form of a report. The comments will be based on the following considerations:

- (a) Need and purpose of City funding: benefits to the organization and to the City of Hamilton if funding is approved; impact on organization if funding is not approved.
- (b) Managerial and fiscal competence as demonstrated by Board of Directors, professional staff capabilities, strength of volunteer programmes and review of financial documentation.
- (c) Quality of programmes and/or activities.
- (d) Ability to attract support as demonstrated by funding from other public and private sources.

5. ROLE OF THE ARTS CO-ORDINATOR

5.1 The Arts Co-ordinator will act as a liaison between the Grants Co-ordinator and the Sub-Committee; between the Grants Review Group and the Sub-Committee.

5.2 The Arts Co-ordinator will assist the Sub-Committee during the review with provision of information relevant to the grants process.

3.0 POLICY

3.1 Principles

The development of an arts policy for Hamilton was shaped by the following five major considerations:

Partnerships

The City of Hamilton recognizes that it is one agency among many, that it shares responsibility for local arts development, and acknowledges that co-operation with its partners would be in the best interests of all concerned.

Excellence

The City of Hamilton encourages the pursuit of excellence in the creative efforts of individuals and organizations at all levels of artistic activity.

Awareness and Appreciation

The City of Hamilton has a responsibility for enhancing and facilitating the general public's awareness of, and appreciation for, the local arts environment.

Fiscal Responsibility

The City of Hamilton supports all efforts to address the issue of responsible financial management and planning on the part of the arts community in the conduct of its business.

Access

The City of Hamilton has a role in ensuring public access to arts activities, services and venues.

3.2 Mission Statement

The City of Hamilton will promote an environment for its citizens which encourages processes leading to creative achievements; which provides access to artistic experiences; which enhances and acknowledges the vital role played by the arts in the life of this community.

3.3 Objectives, Policy Directions, Strategies

Relationships..... (Objectives 1 - 4)

Facilities..... (Objectives 5 - 8)

Programmes..... (Objectives 9 - 10)

Funding..... (Objectives 11 - 20)

Implementation..... (Objective 21)

FUNDING

- (a) To encourage the equitable distribution of available grant monies;
- (b) To encourage the development of responsible accounting among arts grant applicants and recipients.

Objective #13

FUNDING

To encourage a partnership between the arts community and the City of Hamilton in the evaluation of arts grants.

Objective #14

FUNDING

To encourage and facilitate annual financial planning in arts organizations.

Objective #15

FUNDING

To ensure that arts grants increases reflect the annual rate of inflation.

Objective #18

FUNDING

To encourage a measure of self-reliance and entrepreneurship in the operation of all arts organizations.

SCHEDULE "B"

**VOLUNTEER POLICY
MUSEUMS OF THE CITY OF HAMILTON
DEPARTMENT OF CULTURE & RECREATION -
CORPORATION OF THE CITY OF HAMILTON**

1 October, 1990

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INTRODUCTION AND GENERAL CONDITIONS

1.0 DEPARTMENT AND BOARD MANDATES, GOALS AND PRINCIPLES

1.1 The Department of Culture and Recreation will contribute to the quality of life in Hamilton by providing enhanced cultural and recreational opportunities for our citizens and visitors and our staff will provide responsive programmes/services.

1.2 The goals of the Department of Culture and Recreation are:

- 1.2.1 to support and develop voluntarism;
- 1.2.2 to programme and operate our facilities professionally;
- 1.2.3 to optimize community resources;
- 1.2.4 to communicate and educate;
- 1.2.5 to forecast and evaluate our programme needs;
- 1.2.6 to develop professional leadership; and
- 1.2.7 to manage and be accountable for our public trust.

1.3 The mandate of the Hamilton Historical Board is:

- 1.3.1 to advise and recommend to the Parks and Recreation Committee on matters pertaining to the evaluation, acquisition, development, operation, maintenance and disposition of city museums, their grounds, structures and collections;
- 1.3.2 to advise and recommend action to the Parks and Recreation Committee on matters concerning Hamilton's prehistoric and historic heritage;
- 1.3.3 to celebrate events, individuals, structures, and properties in the city of enduring historical significance and interest;
- 1.3.4 to promote public appreciation of the rich historical heritage of Hamilton;
- 1.3.5 to foster special projects designed to further public awareness of and enjoyment in the

prehistoric and historic heritage of Hamilton and its people;

1.3.6 to initiate and encourage special projects designed to promote heritage conservation;

1.3.7 to promote broader understanding of the principles underlying and the necessity of heritage conservation;

1.3.8 to encourage the preservation of Hamilton's documentary heritage in all forms and processes, including but not limited to written records, photographs, maps, architectural drawings, film footage, sound recordings, and documentary art; and

1.3.9 to liaise with other historical groups and agencies, both within and outside Hamilton, in order to formulate co-ordinated responses concerning heritage issues and to operate joint programmes where feasible.

1.4 The Museums of the City of Hamilton, under the Cultural Division of the Department of Culture and Recreation, are responsible for the presentation, conservation and interpretation of the five unique city owned and operated museums. Dundurn Castle and Whitehern are Victorian and Edwardian houses respectively; The Hamilton Museum of Steam and Technology and The Hamilton Military Museum are specialized museums which are devoted to preserving industrial and military history. The Children's Museum is a hands-on participatory museum where children discover the rich heritage of the world around them.

The museums hold, as a public trust for the people of Hamilton and Ontario, collections of local, regional provincial, national and international significance. The goals of the museums are:

1.4.1 to maintain the public trust; and

1.4.2 to augment, conserve, preserve, or research their collections, or a combination;

1.4.3 exhibit and interpret the collections, Hamilton's heritage or the heritage of the world around us or a combination.

1.5 The museum shall be accessible to the local and extended community through such services as: public and specialized

tours; educational and outreach programmes; special events and exhibits. It is recognized that volunteer programmes add to the public accessibility of the museums.

- 1.6 As clients of the Ministry of Culture and Communications, the Museums of the City of Hamilton shall conduct programmes guided by fundamental museological standards as established by that Ministry.

2.0 MUSEUM MANDATE

- 2.1 Insert mandate of the museum.

3.0 DEFINITIONS

- 3.1 A "volunteer" is defined as any individual who performs a service without payment, subject to Section 3.3 below, the service being requested or accepted and led by museum staff.
- 3.2 A "volunteer group" is defined as any independent, non-profit organization acting in partnership with the museum on projects of common appeal, without payment, subject to Section 3.3 below, such projects being requested or accepted and led by museum staff.
- 3.3 Reimbursement of expenses incurred while performing services does not constitute payment.
- 3.4 Nothing in this policy shall be construed as making such volunteer (or, as the case may be, members of such volunteer group) an employee of, as the case may be, employees) of the City.

INDIVIDUAL VOLUNTEERS

4.0 INDIVIDUAL VOLUNTEER PROGRAMME GOALS AND PRINCIPLES

- 4.1 The museum recognizes that volunteers, the museum, and the community at large all benefit from an active partnership between volunteers and museum sites.
- 4.2 The goals and objectives of individual volunteer programmes shall reflect, support, reinforce and be fully consistent with the goals, objectives and mandates of the Department of Culture and Recreation, the Hamilton Historical Board and the museum as specified in Sections 1 and 2 above.
- 4.3 A relationship between the museum and an individual volunteer shall satisfy the following conditions.
 - 4.3.1 the museum shall endeavour to match programme needs with volunteer interests and skills;
 - 4.3.2 each volunteer shall be engaged in a meaningful activity which is consistent with the goals of the museum, and is of mutual interest and benefit;
 - 4.3.3 museum staff have determined that the museum has the resources to assist with each volunteer project;
 - 4.3.4 museum staff shall retain, at all times, responsibility for and authority over aspects of museum operation as required by their volunteer assignments and the commonly accepted standards of museum professionalism.
- 4.4 The museum will act as a facilitator, encouraging the volunteers to further projects of mutual interest where the mandate and the resources of the museum permit.

5.0 INDIVIDUAL VOLUNTEER PROGRAMME ADMINISTRATION

- 5.1 Each individual volunteer programme shall be administered by the Curator, or his/her designate.
- 5.2 The individual volunteer programmes shall in no way conflict with the various collective agreements between the City of Hamilton and its employees.

- 5.3 Volunteer shall be assigned to a specific advisor who will provide the volunteer with on-going support and guidance.
- 5.4 Volunteers shall be provided with the necessary training, equipment and support required to fulfil their commitment.
- 5.5 Volunteers shall be recognized and appreciated for their efforts, in a manner which the Curator deems appropriate.
- 5.6 Volunteers and the museum shall agree to, and the individual volunteer and appropriate Corporation of the City of Hamilton staff shall sign, "volunteer agreement" which shall include:
 - 5.6.1 a list of duties, tasks, responsibilities and obligations, including that of confidentiality;
 - 5.6.2 expected volunteer time commitment;
 - 5.6.3 the goals, objectives, principles outlined in this policy;
 - 5.6.4 the terms of insurance coverage and waivers as may be required from all parties;
 - 5.6.5 relationships with museum staff and volunteer programme leaders;
 - 5.6.6 volunteer guidance and feedback; and
 - 5.6.7 other consideration pertaining to the task at hand;
 - 5.6.8 specific terms by which the volunteer relationship could be terminated by each party.
- 5.7 The museum shall allocate funds for the operation of volunteer programmes.
- 5.8 Volunteers shall carry out their duties with a high standard of care, respecting Ontario Ministry of Culture and Communication Museum Standards and those of the site.
- 5.9 Volunteer assignments shall be regarded as enhancing programmes and assisting staff. Volunteers shall not displace paid employees or be placed in positions for which funding is available.

VOLUNTEER GROUPS

6.0 VOLUNTEER GROUP PROGRAMME GOALS AND PRINCIPLES

- 6.1 The museum recognizes that volunteer groups, the museum, and the community at large benefit from active partnership between volunteer groups and museum sites.
- 6.2 The goals and objectives of volunteer group programmes shall reflect, support, reinforce and be fully consistent with the goals, objectives and mandates of the Department of Culture and Recreation, the Hamilton Historical Board and the museum as specified in Sections 1 and 2 above.
- 6.3 Partnerships between the museum and a volunteer group shall satisfy the following conditions:
 - 6.3.1 the group and the museum shall be autonomous, having independent written goals, objectives and governing structure;
 - 6.3.2 each group shall be engaged in an activity which is consistent with the goals of museum;
 - 6.3.3 museum staff have determined that the museum has the resources to assist in projects of mutual interest and benefit; and
 - 6.3.4 museum staff shall retain, at all times, responsibility for and authority over aspects of museum operation as required by their volunteer assignments and the commonly accepted standards of museum professionalism.
- 6.4 The museum will act as a facilitator, encouraging the development of partnerships with volunteer groups to further projects of mutual interest where the mandate and the resources of the museum permit.
- 6.5 The relationship between the museum and a volunteer group is a limited partnership of two independent organizations on projects of common appeal.
- 6.6 The operation of a volunteer group programme is in no way intended to limit the development of individual volunteers. Members of volunteer groups may, in addition, act as individual volunteers under separate agreement with the museum.

7.0 VOLUNTEER GROUP PROGRAMME ADMINISTRATION

- 7.1 The volunteer group programmes of the museum shall be administered by the Curator or his/her designate.
- 7.2 The volunteer group programmes shall, in no way, conflict with the various collective agreements between the City of Hamilton and its employees.
- 7.3 Volunteer groups and the museum shall agree to, and the individual volunteer and appropriate Corporation of the City of Hamilton staff shall sign, a "volunteer group agreement" which shall outline the following:
 - 7.3.1 a list of duties, tasks, responsibilities and obligations, including that of confidentiality;
 - 7.3.2 expected volunteer time commitment;
 - 7.3.3 the goals, objectives, principles outlined in this policy;
 - 7.3.4 the terms of insurance coverage and waivers as may be required from all parties;
 - 7.3.5 relationships with museum staff and volunteer programme leaders;
 - 7.3.6 volunteer guidance and feedback; and
 - 7.3.7 other considerations pertaining to the task at hand; and
 - 7.3.8 specific terms by which the volunteer group relationship could be terminated by each party.
- 7.4 Volunteer groups shall work with a specific advisor who will provide each volunteer group with on-going support and guidance.
- 7.5 Volunteer groups shall be provided with the necessary training, equipment and support required to fulfil their commitment.
- 7.6 Volunteer groups shall be recognized and appreciated for their efforts in a manner which the Curator deems appropriate.

- 7.7 The museum shall allocate funds for the operation of volunteer group programmes.
- 7.8 Volunteer groups shall carry out their duties with a high standard of care following Museum Standards and those of the site.
- 7.9 Volunteer group projects shall be regarded as enhancing programmes and assisting staff. Volunteer groups shall not displace paid employees or be placed in positions for which funding is available.
- 7.10 A member of the museum staff may attend regular meetings of the group in an ex-officio non-voting capacity and shall receive notice and minutes of all meetings.

This policy cannot be altered without the consent of the Corporation of the City of Hamilton.

October 1, 1990

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties.
 - (a) 21 Rymal Road West
 - (b) 1471 Upper James Street
 - (c) 1451 Upper James Street
 - (d) 1459 Upper James Street
 - (e) 1465 Upper James Street
 - (f) 1124 Upper James Street
 - (g) 1123 Upper Wentworth Street
 - (h) 1399 Upper James Street
 - (i) 1405 Upper James Street
 - (j) 1411 Upper James Street
 - (k) 1417 Upper James Street
2. (a) That a purchase order be issued to Crozier Enterprises Ltd., Mississauga, in the amount of \$172,341. to supply, deliver and install Main Street West Pedestrian Barriers, in accordance with specifications issued by the Manager of Purchasing and Vendor's Proposal.
 - (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest acceptable of four (4) proposals received. Funds provided in Main Street West Commercial Improvement Programme 1990 Account #CF5200 4287 05011.



3. (a) That the Corporation of the City of Hamilton grant its consent to the Royal Bank of Canada to assign its easement in the MacNab Street Truck Tunnel to Canadian Realty Revenue Properties Ltd., in accordance with paragraph four (4) of the 1972 June 13 Agreement (between the City of Hamilton, Robinson Securities Limited, the G. W. Robinson Company Limited, First Phase Civic Square Limited and Yale Properties Limited, subsequently assigned in 1989 May by Robinson's to the Royal Bank). This assignment is subject to the Purchaser of the former Robinson's Department Store site agreeing to assume and obligate itself to the City in respect of all obligations of the Royal Bank of Canada in the aforesaid 1972 Agreement as amended.
- (b) That the City of Hamilton grant consent to the Royal Bank of Canada to assign the areaway easement described in paragraph 3(b) of the 1972 Agreement to Canadian Realty Revenue Properties Ltd.
- (c) (i) That paragraph 8(a) and 8(b) of the 1972 Agreement be deleted effective 1990 September 30.

NOTE: Under the original 1972 Abandonment Agreement, Robinson Securities Limited and G. W. Robinson Company Limited agreed to erect on the rear parking lot of this department store, a warehouse building. Robinson's also agreed, that if the said building was not erected by 1984 December 1, it would pay to the City of Hamilton an annual sum in lieu of taxes as if the building were erected. Said payment is currently at \$29,358.08 (1990).

In 1989, Robinson's sold the property to the Royal Bank, who as of 1990 September 30 have demolished the original structure in preparation of its new development on the former Robinson's Department Store and rear parking lot.

Accordingly, the Royal Bank will be refunded the sum of \$7,339.54 for the period of 1990 October 1 to 1990 December 31.

In view of the proposed new development on the site, the Royal Bank is respectfully requesting that the 1972 Agreement be amended by deleting paragraph 8(a) and 8(b) as of 1990 September 30.

- (c) That the Mayor and City Clerk be authorized to execute the agreements to carry out the aforesaid recommendations. Regarding Items (a) and (b) above, it is recommended that the City enter into the agreement attached hereto and marked Appendix "A".

4. (a) That the Province be requested to amend the Planning Act to permit municipalities to establish a definition of "Family" respective to Zoning By-laws that meet their community needs; and,
- (b) That the Noise Control Officer be directed to patrol the West Mountain area surrounding Mohawk College for possible violations of the City's Noise Control By-law.
- (c) That the City of Hamilton endorse the following resolution forwarded from the City of London which was prepared and endorsed by the participants at the Kingston Town and Gown Conference:
 - (i) That the planning, zoning and by-law enforcement staffs of all Ontario college and university municipalities meet to examine technical, definitional and performance standards matters related to the rooming, boarding and lodging house issue;
 - (ii) That the goal of such meeting be the development of suitable by-law mechanisms to regulate rooming, boarding and lodging houses as well as enable them in accordance with the Provincial Policy Statement: Land Use Planning for Housing, Provincial Legislation;
 - (iii) That the Provincial Government retain an independent consultant to review and compare existing municipal by-laws and regulations including licensing pertaining to rooming, boarding and lodging houses, to outline the policy and legal constraints, to develop optional technical approaches of regulation and produce a background report in preparation for the technical municipal meeting and further that such consultant be engaged as soon as possible to expedite resolution of this matter;
 - (iv) That municipal staff promote a full public consultation process within their respective communities using the results of this meeting as a model approach.
 - (v) That a more formal organization of Ontario college and university cities be established to create an effective network between municipalities and between university and college municipalities and the Provincial Government relative to university, college and city issues such as student housing, university funding, grants in lieu of taxes, and other relevant matters as they arise. (59.24.4.) (15/23/PC)
5. That approval be given to Rental Housing Protection Act Application DE-90-001, Agostino Ammendolia, owner, for demolition of units at 266-280 King Street East.



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6. (a) That approval be given to Official Plan Amendment No. 95 to establish a Special Policy Area to permit limited commercial uses, for lands shown as Blocks "1" and "2" on the attached map marked as Appendix "B", and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to amended Zoning Application 90-54, Allan John Beattie, owner, for a modification to the established "M-12" (Prestige Industrial) District regulations for Block "1", and a change in zoning from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, modified for Block "2", to permit a hardware store and a garden centre, for property located at 1280 Rymal Road East, shown as Blocks "1" and "2" on the attached map marked as Appendix "B", on the following basis:
- (i) That Block "2" be rezoned from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District;
- (ii) That the "M-12" (Prestige Industrial) District regulations, as contained in Section 17D of By-law No. 6593, applicable to Blocks "1" and "2", be modified to include the following variance as a special provision:
- (1.) That notwithstanding Section 17D(1)(b), the following additional Commercial uses shall permitted:
- | <u>Use Not Prohibited</u> | <u>S.I.C. Number</u> |
|---------------------------|----------------------|
| Hardware Stores | 6531 |
| Lawn and Garden Centres | 6522 |
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as S-1198 and the subject lands on Zoning District Map E-59E be notated S-1198;
- (iv) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map E-59E for presentation to City Council;
- (v) That the Mountain Industrial Area Plan be amended by redesignating the subject lands to "Restricted Commercial"; and,
- (vi) That the proposal will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 95 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-12" (Prestige Industrial) District regulations for Block "1" and a change in zoning from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, modified for Block "2", for property located at 1280 Rymal Road East.

The effect of the By-law is to permit, in addition to the other uses allowed under the "M-12" (Prestige Industrial) District regulations, a hardware store and a garden centre.

7. That approval be given to Zoning Application 89-90, Red-D-Mix Concrete Company, Division of Standard Aggregates, owner, for a change in zoning from "JJ" (Restricted Light Industrial) District modified, to "DE-2" - 'H' (Multiple Dwellings - Holding) District modified, to permit a 5-storey, 110 unit apartment building and a 4-storey, 54 unit apartment building, on property located at 1301 to 1315 Upper Wellington Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District which will prohibit the development of the subject lands until municipal sewers are available.

Removal of the holding restriction shall be conditional upon the availability of all such municipal sewers serving the subject lands as the City deems necessary and passage of an amending By-law. City Council may remove the "H" symbol, and thereby give effect to the "DE-2" District provisions as stipulated in this By-law by enactment of an amending By-law once municipal sewers are available.

- (b) That the subject lands be rezoned from "JJ" (Restricted Light Industrial) District to "DE-2" (Multiple Dwellings) District;
- (c) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 10B(1)(vi), a maximum of 164 dwelling units shall be permitted;
 - (ii) That notwithstanding Section 10B(2)(ii), a maximum building height of five storeys shall be permitted;



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- (iii) That notwithstanding Section 10B(6), a minimum landscaped area of 48% of the lot area shall be provided and maintained;
 - (iv) That a minimum 3.0 m wide landscaped strip shall be provided and maintained along the entire southerly and easterly property lines;
 - (v) That a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire southerly and easterly property lines;
 - (vi) That a minimum of two vehicular accesses to the subject lands shall be provided, at least one of which shall be provided from the future city road allowance adjacent to the northerly property line.
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1199, and that the subject lands on Zoning District Map E-18B be notated S-1199;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18B for presentation to City Council;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (g) That prior to the passing of the amending by-law by City Council, the applicant shall:
- (i) Enter into a service agreement with both the City and Hamilton-Wentworth Region; and,
 - (ii) Acquire the adjoining parcel of land to the north known as Block "141" on Draft Plan of Subdivision "Rose Gardens".

NOTE: The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until the availability of all such municipal sewers as the City deems necessary to service the proposed development. Removal of the holding restriction shall be conditional upon the availability of municipal sewers, and the passage of an amending By-law to remove the 'H' symbol, thereby giving effect to the "DE-2" District provisions.

The purpose of this By-law is to provide for a change in zoning from "JJ" (Restricted Light Industrial) District modified to "DE-2" (Multiple Dwellings) District modified, for property located at 1301 to 1315 Upper Wellington Street.

The effect of the By-law is to permit a 5-storey, 110 unit apartment building and a 4-storey, 54 unit apartment building on the subject lands.

In addition, the By-law provides for the following variances as special requirements:

- (a) To restrict the maximum height of building(s) to five storeys, whereas 8 storeys is permitted;
- (b) To restrict the number of dwelling units to a maximum of 164 units;
- (c) To require a minimum landscaped area of 48% of the total lot area to be provided and maintained, whereas a minimum of 25% is required;
- (d) To require a minimum 3.0 m wide landscaped strip to be provided and maintained along the entire southerly and easterly property lines;
- (e) To require a visual barrier not less than 1.2 m in height and not more than 2.0 m in height to be provided and maintained along the entire southerly and easterly property lines; and,
- (f) To require a minimum of two vehicular accesses, at least one of which shall be provided from the future city road allowance adjacent to the northerly lot line (Sirente Drive).

8. That approval be given to Zoning Application 90-44, Sapte Investments Inc. (M. Moisin, L. Balasu, F. Sandulescu, G. Balasu, T. Bompa, T. Bompa), owner, requesting a modification to the established "HI" (Civic Centre Protected) District regulations, to legalize the established four dwelling units, for property located at 54 Hess Street South, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the "HI" (Civic Centre Protected) District regulations, as contained in Section 15A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 15A(1), not more than four dwelling units shall be permitted within the existing building only;
 - (ii) That notwithstanding Section 18A(1)(a), not less than three parking spaces shall be provided and maintained;



- (iii) That notwithstanding Section 18A(7), one parking space shall have a length of not less than 5.18 m;
 - (iv) That Section 18A(9) shall not apply only in respect of manoeuvring space;
 - (v) That clauses (b), (c), and (d) of this By-law shall only apply to the building in existence on the date of passage of this By-law;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1200, and the subject lands on Zoning District Map W-4 be notated S-1200;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4 for presentation to City Council; and,
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (e) That approval of this application be subject to a building permit being obtained for any required renovation work for the proposed conversion.

NOTE: The purpose of the By-law is to establish a modification to the established "HI" (Civic Centre Protected) District regulations for property located at 54 Hess Street South.

The effect of the By-law is to legalize the four established dwelling units within the existing building. In addition, the By-law provides the following variances as special provisions:

- (a) A minimum of three parking spaces are to be provided and maintained instead of the required four;
- (b) One parking space shall have a minimum length of 5.18 metres instead of the required 6.0 metres;
- (c) Manoeuvring for the three parking spaces may be provided off-site;
- (d) The above-noted variances in parking apply only to the existing building.
- (e) That approval of the application is conditional upon a building permit being obtained.

9. That approval be given to Zoning Application 90-62, Good Shepherd Non-Profit Homes Inc., owner, for a change in zoning from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified (Block "1"), and for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block "2"), to permit a 6-storey, 63 unit non-profit apartment building, on property located at 31, 33 and 35 Aikman Avenue, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That the lands described as Block "1" be rezoned from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
 - (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-Law No. 6593, applicable to the lands described as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Sections 11.(1), 11.(2) and 11.(5) a multiple dwelling having a maximum height of 6 storeys, containing a maximum of 63 dwelling units and having a maximum gross floor area of 4,460.0m² shall be permitted;
 - (ii) That notwithstanding Section 11.(3)(i)(b) a minimum front yard of 0.67m shall be provided and maintained;
 - (iii) That notwithstanding Section 11.(3)(ii)(b) a minimum easterly side yard of 4.36 m and a minimum westerly side yard of 4.43 m shall be provided and maintained;
 - (iv) That notwithstanding Section 18(3)(vi)(cc)(ii) and (iii) a balcony may project into the required rear yard a maximum of 1.6 m; into the easterly side yard a maximum 0.8 m on the ground floor and 0.4 m on the remaining 5 floors; and into the westerly side yard a maximum of 1.0 m;
 - (v) That notwithstanding Section 2.(2)J.(xb)(C) and Section 11.(6) the following landscaped areas shall be provided and maintained on the lot:
 - (1.) Not less than 12.02% of the lot area at grade; and,
 - (2.) Not less than 7.58% of the lot area above grade at the raised terrace level.
 - (vi) That notwithstanding Section 18(3)(vi)(e) the front entrance stairs to the raised terrace level shall be permitted within 0 m of the street line;

- (vii) That notwithstanding Section 18A Table 1(g) a minimum of 36 parking spaces shall be provided and maintained;
 - (viii) That notwithstanding Section 18A Table 3, 2 a minimum of one 3.7 m x 9.0 m x 4.3 m loading space shall be provided and maintained;
 - (ix) That notwithstanding Sections 18A(9), (10) and (32) the manoeuvring space for the required parking and loading spaces on the surface of the lot may be provided off-site;
 - (x) That notwithstanding Section 18A(24)(b)(i) the alleyway for an access driveway to the required parking area shall be a minimum width of 3.66 m.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1201, and that the subject lands on Zoning District Map E-22 be notated S-1201;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-22 for presentation to City Council;
- (e) That the Gibson Neighbourhood Plan be amended by redesignating the subject lands to "Medium Density Apartments".
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for Block "1" and a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for Block "2", for property located at 31, 33 and 35 Aikman Avenue.

The effect of the By-law is to permit a 6-storey, 63 unit non-profit apartment building on the site.

In addition, the By-law provides for the following variances as special requirements:

- (a) To permit a maximum gross floor area of 4,460.0 m², whereas 3,423.8 m² is permitted;

- (b) To permit a minimum front yard of 0.67 m, whereas 6.07 m is required;
- (c) To permit a minimum easterly side yard of 4.36 m and a minimum westerly side yard of 4.43 m, whereas minimum side yards of 8.09 m are required;
- (d) To permit the balconies to further project 0.4 m into the allowed easterly side yard, and a further projection of 1.0 m into the allowed westerly side yard, and a projection of 1.6 m as opposed to the required 1.0 m into the required rear yard;
- (e) To require a minimum of 12.02% of the lot area to be provided and maintained as landscape space at grade, and a minimum of 7.58% of the lot area to be provided and maintained as landscape space above grade at the terrace level, for a total of 19.6% of the lot area whereas a minimum of 25% is required;
- (f) To permit the front entrance stairs to the raised terrace level to be within 0m of the street line of Aikman Avenue, whereas 1.5 m is required;
- (g) To require a minimum of 36 parking spaces, whereas a minimum of 79 parking spaces are required;
- (h) To require a minimum of one 3.7 m x 9.0 m 4.3 m loading space, whereas one 3.7 m x 18.0 m x 4.3 m loading space is required;
- (i) To permit the manoeuvring space for the required parking spaces and loading space on the surface of the lot to be off-site;
- (j) To permit the alleyway for an access driveway to the required surface parking area to be a minimum width of 3.66 m, whereas a minimum width of 5.5 m is required.

10. That amended Zoning Application 90-60, Alfrin Enterprises Corporation (D. Frisina), prospective owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations, to convert the existing building to fourteen dwelling units (condominiums or apartments) for property located at 73 Garfield Avenue South as shown on the attached map marked as Appendix "F", be **DENIED** for the following reason:

It conflicts with the position of City Council, adopted 1990 May 29, to deny the application for conversion of this building to eighteen dwelling units and to deny an amended application for conversion of this building to fourteen units.

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11. That the approved Strathcona Neighbourhood Plan (Map 1 attached herewith as Appendix "G"), be amended to:

- (a) Delete the designated widening of Locke Street South between Main Street and King Street; and,
- (b) Add a special policy in the Plan to require 3.0m front yard setbacks for new development on the west side of Locke Street South between Main Street and King Street, and to prohibit vehicular access from Locke Street South for new development along the west side of Locke Street.

NOTE: For the information of the members of City Council, the Planning and Development Committee has also approved the following:

- (a) That the Planning and Development Department be directed to undertake a City Initiative and schedule a Public Meeting to consider amendments to the Zoning By-law for Locke Street South between Main Street and King Street to:
 - (i) Permit the construction of buildings on this section of Locke Street, notwithstanding the existing road allowance width of 33 ft. for this roadway;
 - (ii) Reduce the front yard setback along the west side of Locke Street South to 3.0m; and,
 - (iii) Prohibit vehicular access from Locke Street South for new development along the west side of Locke Street.
- (b) That the Transport and Environment Committee be requested to initiate the improvement of the existing north-south alleyway between Locke Street and Margaret Street, to permit rear parking and access. The disposition of the City-owned lands adjacent to the alleyway should be resolved prior to the alleyway improvements.

12. That approval be given to amend the draft condition (k) for "Eaglewood Manor", 25T-87040, Registered Plan 62M-622 by deleting Block "22" from condition (k); which now reads as follows:

- (k) That Blocks "17" to "21" inclusive and Blocks "30" and "31" be developed only in conjunction with abutting lands.

NOTE: The lands, comprising 1.535 ha, are located on the north side of Rymal Road East and the west side of Upper Gage Avenue in the Eleanor Neighbourhood.

13. That approval be given to amended Zoning Application 90-59, Slovenian Society of St. Joseph Hamilton, Lessee, for a change in zoning from "C" (Urban Protected Residential, etc.) District modified, to "DE-3" (Multiple Dwellings) District (Block "1") modified, and from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District modified (Block "2"), to permit a 3-storey, 30 unit non-profit senior citizens apartment building, on property located on the rear part of lands at 115 and 125 Centennial Parkway North, as shown on the attached map marked as Appendix "H", on the following basis:
- (a) That the lands described as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District modified to "DE-3" (Multiple Dwellings) District.
 - (b) That the lands described as Block "2" be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District.
 - (c) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands described as Blocks "1" and "2", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10C(vi) of Zoning By-law No. 6593, a multiple dwelling containing a maximum of 30 dwelling units for the accommodation of elderly persons at least 60 years of age shall be permitted.
 - (ii) That notwithstanding Section 10C(3)(ii)(b) of Zoning By-law No. 6593, a side yard having a depth of not less than 4.5 m shall be provided and maintained along the easterly side lot line within 63 m of the south-easterly corner of the property.
 - (iii) That notwithstanding Section 18A Table (1G), a minimum of 20 parking spaces shall be provided and maintained.
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1202, and that the subject lands on Zoning District Map E-104 be notated S-1202.
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-104 for presentation to City Council.



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- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (g) That the Kentley Neighbourhood Plan be amended by redesignating Block "1" from "Civic and Institutional", to "Low Density Apartments" and Block "2" from "Attached Housing" to "Low Density Apartments".

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District modified to "DE-3" (Multiple Dwellings) District modified for Block "1" and a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District modified for Block "2", for property located at the rear part of lands at 115 and 125 Centennial Parkway North.

The effect of the By-law is to permit a 3-storey multiple dwelling containing a maximum of 30 dwelling units for the accommodation of elderly persons of at least 60 years of age.

In addition, the By-law provides for the following variances as special requirements:

- (a) To permit a minimum side yard of 4.5 m for that portion of the building within 63 m of the south-easterly corner of the property.
- (b) To permit a minimum of 20 parking spaces whereas a minimum of 38 parking spaces are required.

14. That leave be granted to introduce the following Bills:

- (a) C-145 A By-law to adopt the Main Street West Community Improvement Plan.
- (b) C-146 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 400 Grays Road.
- (c) C-147 A By-law to establish Site Plan Control respecting land located at Municipal No. 400 Grays Road.
- (d) C-148 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 252, 256, 260 and 262 Victoria Avenue North and 290 Barton Street East.
- (e) C-149 A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 252, 256, 260 and 262 Victoria Avenue North and 290 Barton Street East.

- (f) C-150 A By-law to adopt Official Plan Amendment No. 93 respecting lands located at Municipal Nos. 694-696 Upper James Street within the Bonnington Neighbourhood.
- (g) C-151 A By-law to adopt Official Plan Amendment No. 94 respecting land located at Municipal No. 710 Upper James Street within the Bonnington Neighbourhood.
- (h) C-152 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 86-273 respecting lands located at Municipal No. 69 Rymal Road East and the rear part of Municipal No. 75 Rymal Road East.
- (i) C-153 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 87-184 respecting lands located on the south side of Beaverton Drive and east of Acadia Drive (Municipally known as No. 15 Beaverton Drive).

Respectfully submitted,

**ALDERMAN F. LOMBARDO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder
Secretary
1990 October 24th**

10/30/90

THIS AGREEMENT made in triplicate as of the day of
1990.

B E T W E E N:

THE ROYAL BANK OF CANADA

(the "Assignor")

- and -

CANADIAN REALTY REVENUE PROPERTIES LTD.

(the "Assignee")

- and -

THE CORPORATION OF THE CITY OF HAMILTON

("Hamilton")

WHEREAS the Assignor is the owner in fee simple of those lands in the City of Hamilton described in Schedule "A" hereto (the "Lands"); and

WHEREAS the Lands are about to be conveyed to the Assignee together with all rights and benefits appurtenant thereto; and

WHEREAS by reason of Paragraphs 3 and 4 of the agreement dated the 13th day of June, 1972 made between Hamilton, First Phase Civic Square Limited, Yale Properties Limited, Robinson Securities Limited ("Robinson") and The G.W. Robinson Company, Limited (the "Agreement") there is appurtenant to the Lands the areaway easement described in Paragraph 3 thereof and Schedule "B" hereto (the "Areaway Easement") and a truck tunnel easement described in Paragraph 4 thereof and Schedule "C" hereto (the "Truck Tunnel Easement") collectively hereinafter referred to as the Easements; and

WHEREAS the Agreement was registered in the Land Registry Office for the Registry Division of Wentworth No. 62 on the 11th day of May, 1989 as Instrument No. 506800 CD and in the Land Registry Office for the Land Titles Division of Wentworth on the 18th day of December, 1989 as Instrument No. 270000 L.T.; and

WHEREAS the Assignor by an agreement dated May 1, 1989 and registered in the Land Registry Office for the Registry Division of Wentworth No. 62 on the 11th day of May, 1989 as Instrument No. 506800 CD and in the Land Registry Office for the Land Titles

Appendix "A" as referred to
in Section 3 of the EIGHTEENTH
Report for 1990 of the Planning
& Development Committee.

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Division of Wentworth on the 18th day of December, 1989 as Instrument No. 270000 L.T. covenanted and agreed, inter alia, to assume the obligations of Robinson under and pursuant to the Agreement; and

WHEREAS the Assignee has agreed to assume the obligations of the Assignor under the Agreement with respect to the Easements and to the other matters herein set out.

NOW THEREFORE in consideration of the sum of Five (\$5.00) Dollars and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency whereof being hereby acknowledged), the parties hereto acknowledge, covenant and agree as follows:

1. (a) The Assignor assigns and transfers to the Assignee its interest in and to the Easements including all rights of action and other rights and benefits of the Assignor or which might after this Assignment accrue to the Assignor under the Agreement.

(b) Hamilton consents to the assignment of the Easements as required by Paragraphs 3(g) and 4 of the Agreement and confirms that all payments due thereunder and all of the obligations of the Assignor to Hamilton under the Agreement as of the date hereof, have been fulfilled in their entirety and hereby doth remise and release the Assignor from all claims, demands, liabilities, suits, actions, causes of action whatsoever and howsoever arising from the Agreement.

(c) This consent does not constitute a waiver of the necessity for consent to any further assignment of the Easements by the Assignee. If the Assignee proposes to effect a further assignment, the terms of Paragraphs 3(g) and 4 of the Agreement shall apply and must be observed.

(d) By joining in this Agreement, Hamilton does not thereby acknowledge or approve of any of the terms of the Assignment between the Assignor and the Assignee.

(e) In consideration of the foregoing consent of Hamilton and of this Assignment, the Assignee hereby represents and warrants to the Assignor that at or before the effective date of this Agreement, the Assignee has become the owner in fee simple of the land described in Schedule "A" attached hereto.

2. The Assignee hereby undertakes, covenants, promises and agrees to Hamilton that:

(i) The Assignee shall perform and abide by and be bound at all times, all of the terms, covenants, conditions and obligations on the part of the Assignor contained in the Agreement and subject to all remedies in respect of breaches of covenants and conditions as if the Assignee were named in the Agreement in place of Robinson Securities Limited and without limiting the generality of the foregoing, hereby assumes and obligates itself to Hamilton in respect of all obligations, including all indemnifications to Hamilton, contained therein of the Assignor as contemplated in Paragraphs 3(g) and 4 of the Agreement; and,

(ii) The Assignee shall at all times comply with the terms, provisions and conditions of the Agreement and do all such acts, matters and things as may be requisite and necessary to maintain the Agreement in good standing at all times.

3. The Assignee hereby agrees to indemnify and save the Assignor harmless from any and all actions, suits, losses, charges, demands, liabilities and expenses incurred or suffered by the Assignor as a result of any failure or refusal by the Assignee to perform and abide by all of the terms, covenants, conditions and obligations on the part of the Assignee contained in the Agreement or any breach by the Assignee of the terms of the Agreement or of the terms hereof.

4. In consideration of the foregoing consent of Hamilton and of this assignment, the Assignee hereby represents and warrants to Hamilton that its proposed use of the Truck Tunnel Easement shall not be greater than the use thereof by the Assignor or Robinson or its tenant prior to the date of this assignment and that at or before the time of the execution and delivery of this agreement, the Assignee has become the owner of the fee simple of the Lands.

5. The Assignee covenants to Hamilton to register this Agreement on title to the Arcoway Agreement described in Schedule "B" hereto and to the Truck Tunnel Easement described in Schedule "C" hereto and to the land of the Assignee described in Schedule "A" hereto within a reasonable time after the execution of this agreement.

6. Any notice in writing required or permitted to be given to

10/30/90

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the Assignor and the Assignee hereunder shall be given by registered mail, postage prepaid, addressed to:

Royal Bank Realty Inc.
1 Place Ville Marie
P.O. Box 6001
Montreal, Quebec
H3C 3A9

Attention: The Vice-President and
Arnold Campbell, Vice-President

with a copy to:

Aylesworth, Thompson, Phelan, O'Brien
P.O. Box 15, Suite 3000
Royal Bank Plaza, South Tower
Toronto, Ontario
M5J 2J1

Attention: James W.V. Craig, Q.C.

(b) Any notice in writing required or permitted to be given to Hamilton shall be given by registered mail, postage prepaid, addressed to:

The City Clerk
The Corporation of the City of Hamilton
City Hall
71 Main Street West
P.O. Box 2040
Hamilton, Ontario
L8N 3T4

(c) Any such notice mailed as aforesaid shall be deemed to have been given to the recipient on the fifth business day following the date of such mailing.

(d) Any party may at any time give notice to each of the other parties of any change of address of the party giving such notice and from and after the giving of such notice the address therein specified shall be deemed to be the address of such party.

7. Each of the parties hereto covenants and agrees with the others of them to do all such acts, matters and things as may be requisite and necessary to give full force and effect to the provisions of this Agreement and to carry out and perform the same in accordance with its terms.

IN WITNESS WHEREOF the parties hereto have duly executed

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this Agreement.

THE ROYAL BANK OF CANADA

Per: _____

Per: _____

We have the authority to bind the Bank

CANADIAN REALTY REVENUE PROPERTIES LTD.

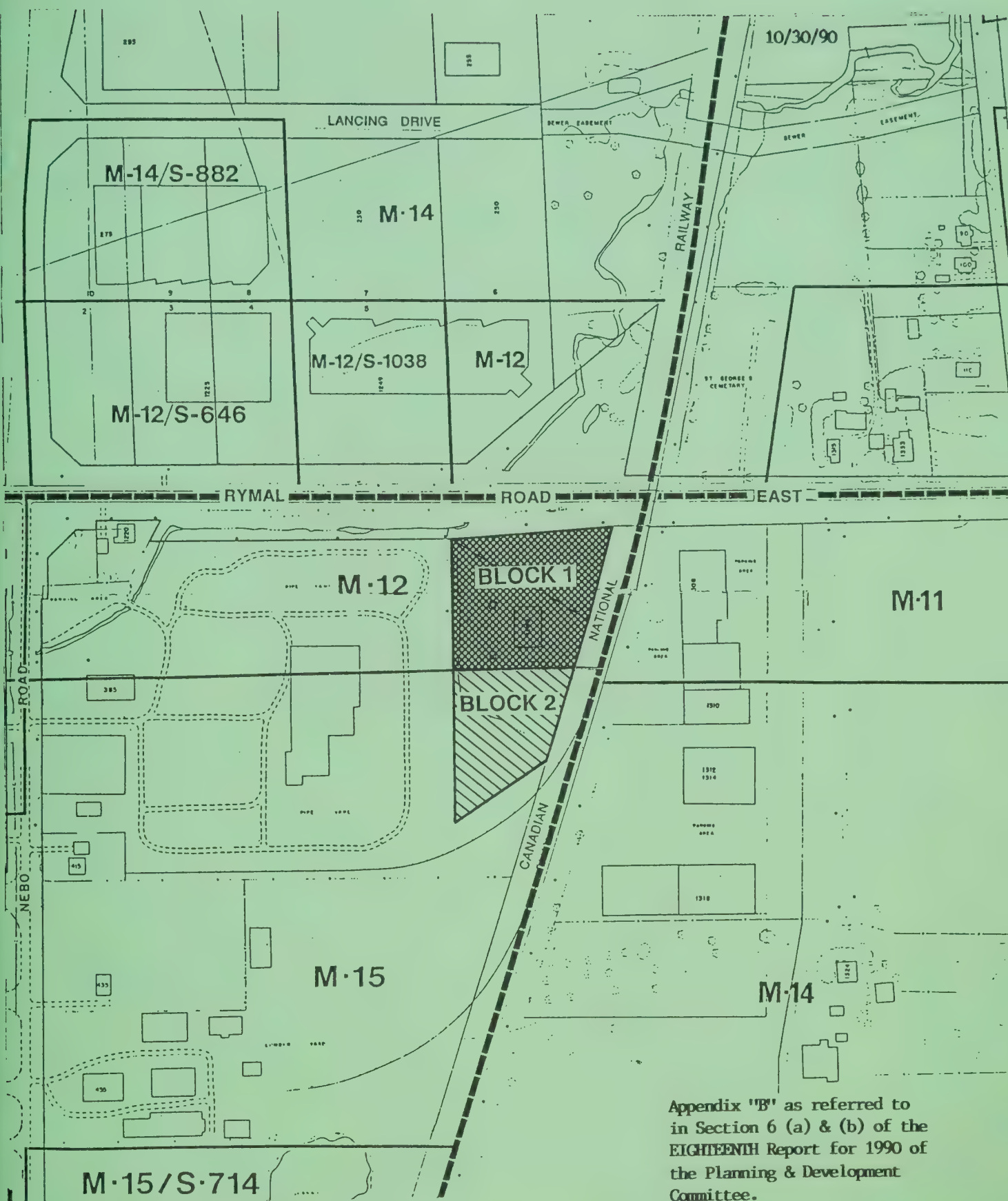
Per: _____

Per: _____

We have the authority to bind the
Corporation



THE CORPORATION OF THE CITY OF HAMILTON

Mayor_____
City Clerk



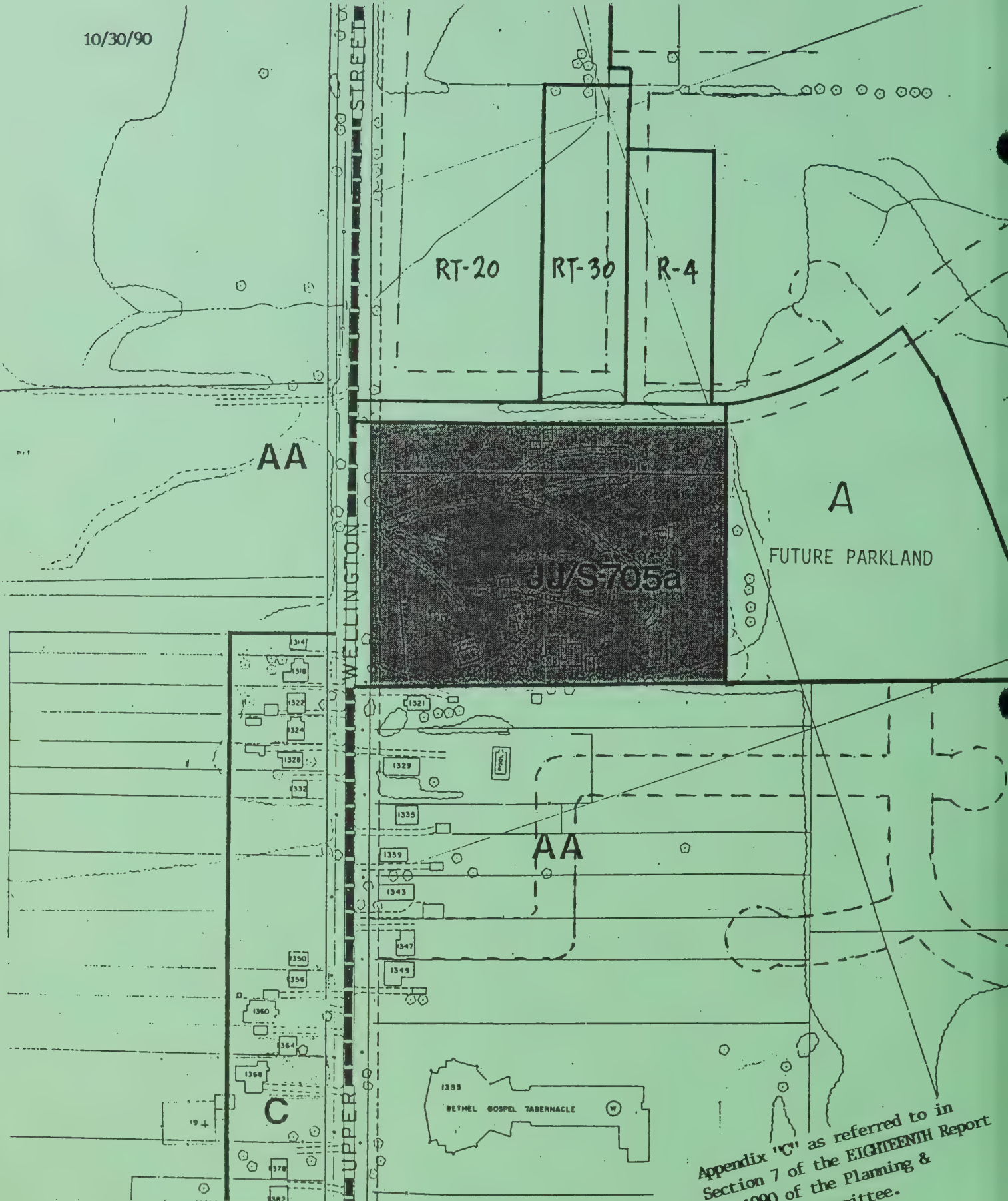
Appendix "B" as referred to in Section 6 (a) & (b) of the EIGHTEENTH Report for 1990 of the Planning & Development Committee.

Legend

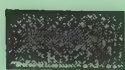
- BLOCK 1**  Modification to the "M-12" (Prestige Industrial) District.
- BLOCK 2**  Change from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, modified.



10/30/90

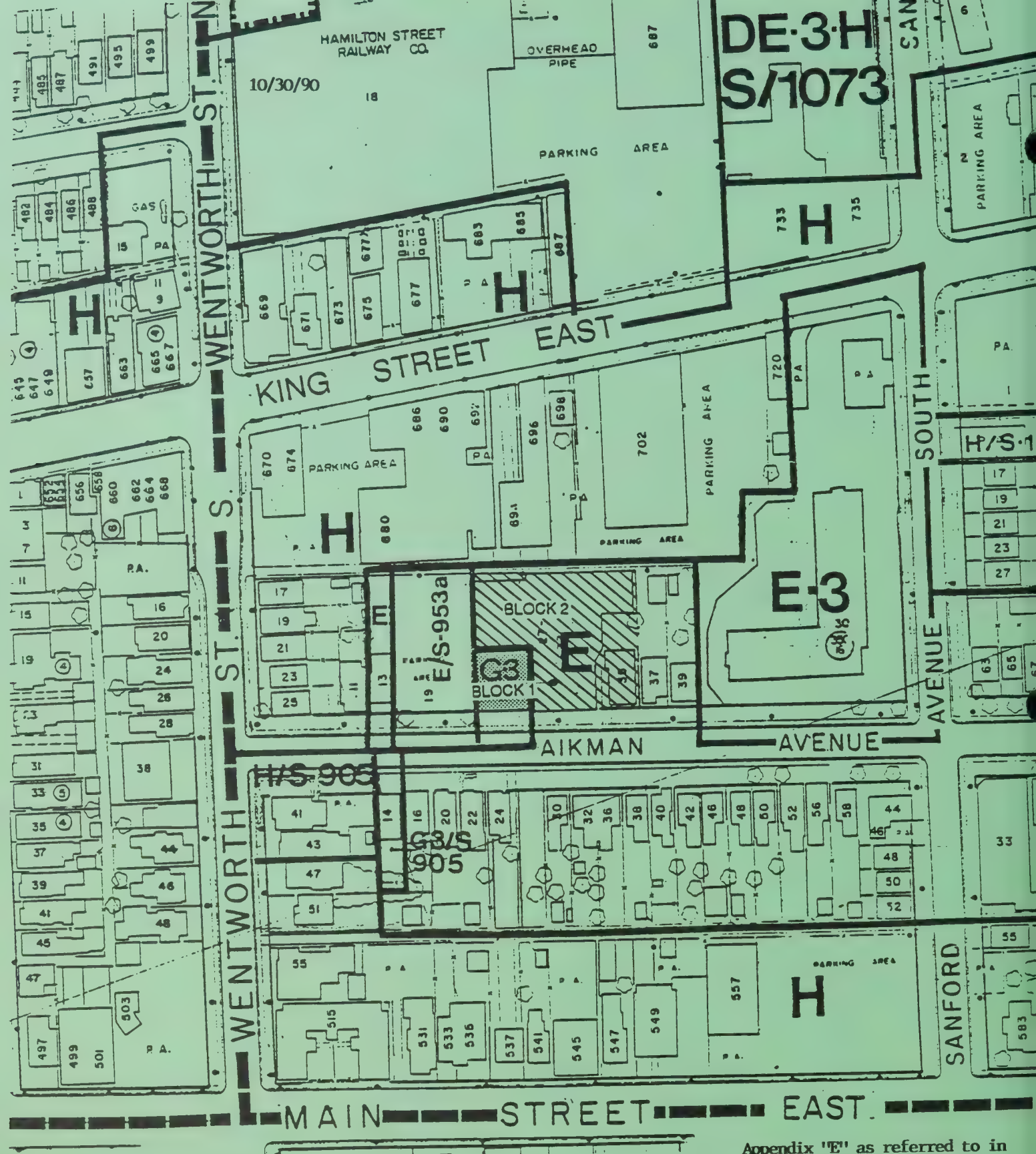


Legend.



Site of the Application.

Appendix "C" as referred to in
Section 7 of the EIGHTEENTH Report
for 1990 of the Planning &
Development Committee.



Legend

Proposed change in zoning from:



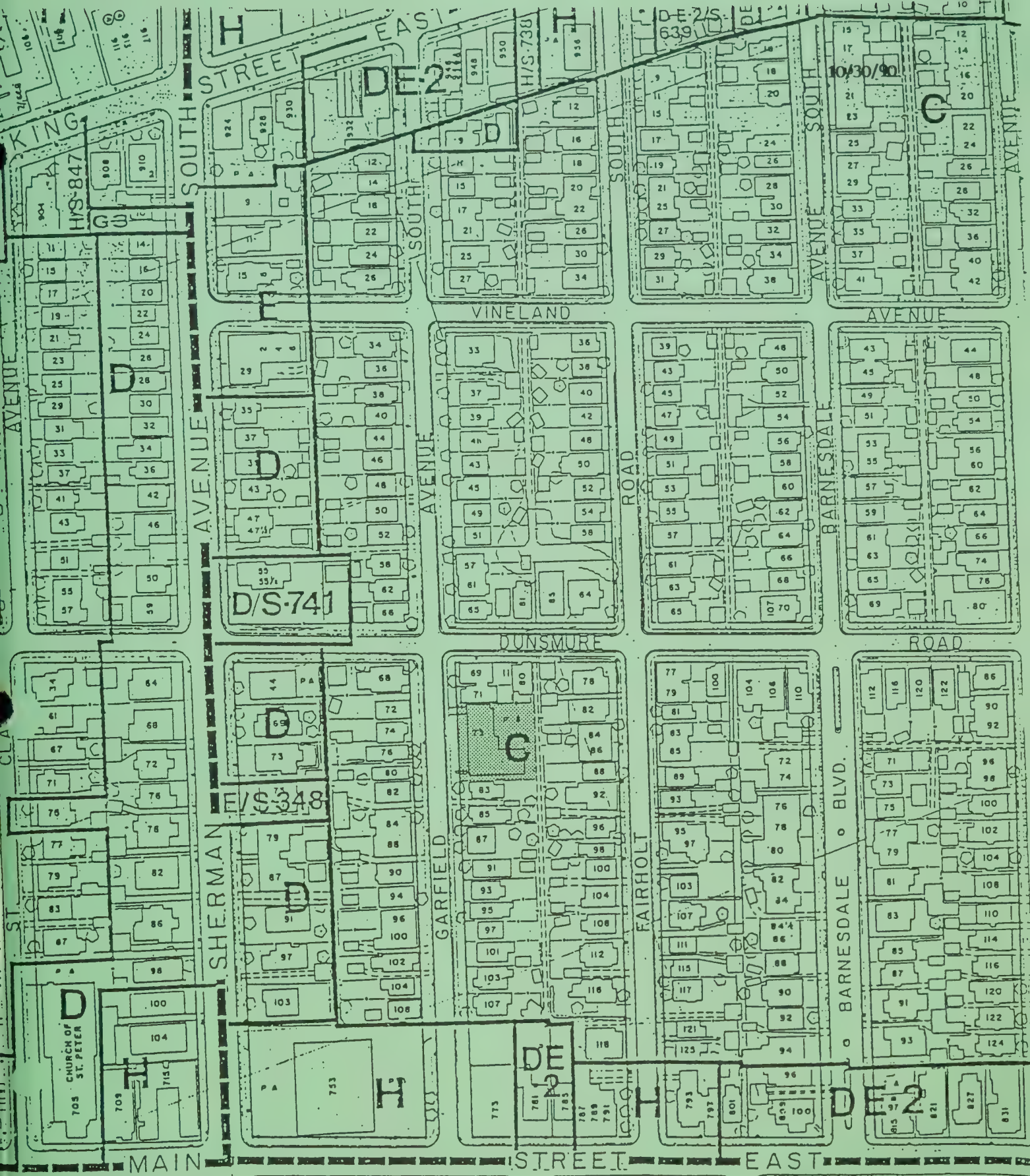
"G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified.



Modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District

Appendix 'E' as referred to in
Section 9 of the EIGHTEENTH
Report for 1990 of the
Planning & Development Committee.

ZA 90-62



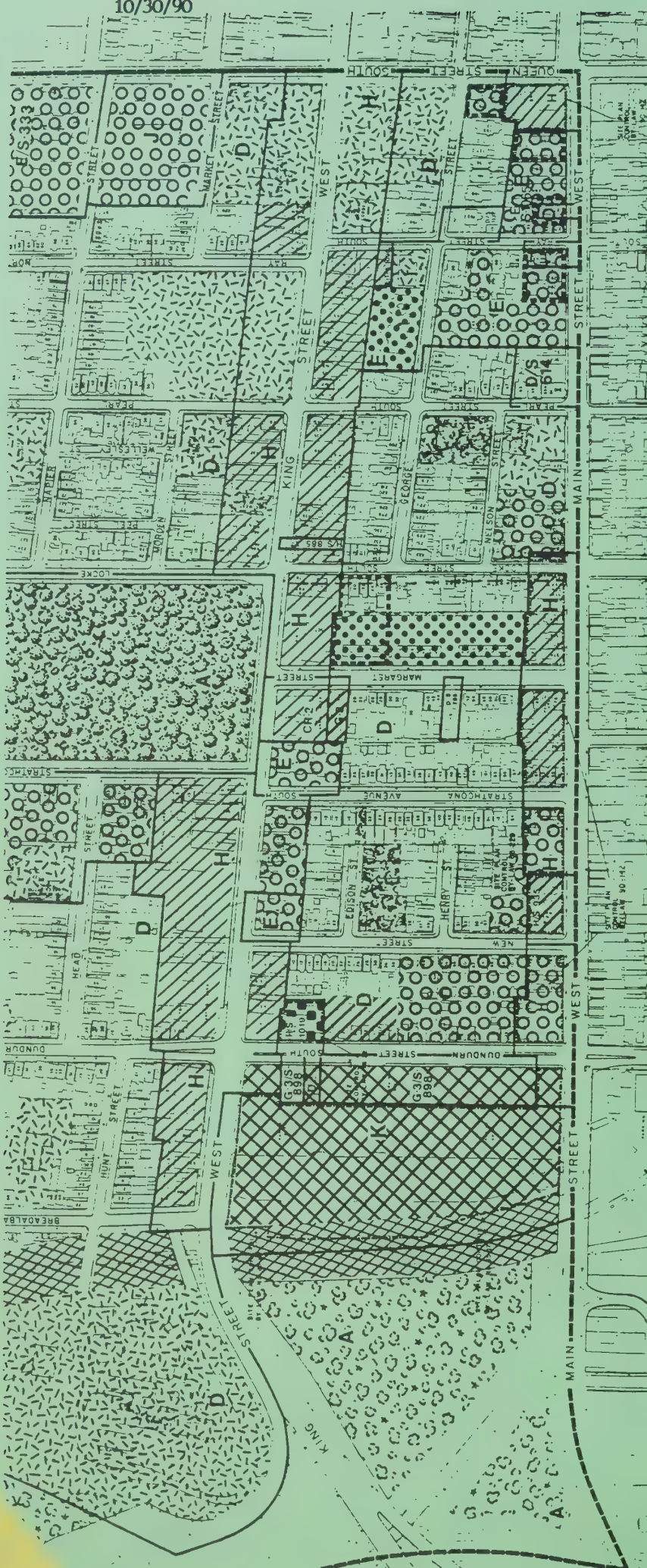
Legend



Site of the Application

Appendix "F" as referred to in
Section 10 of the EIGHTEENTH
Report for 1990 of the Planning
& Development Committee.





NOTE: This is a GUIDE PLAN only and is subject to change.
For details contact the local planning division of the Regional
Municipality of Hamilton-Wentworth.

Refer to City Council Minutes
Date: June 24, 1980.

LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL

- INDUSTRIAL
- CIVIC & INSTITUTIONAL
- PARK & RECREATIONAL
- OPEN SPACE
- UTILITIES

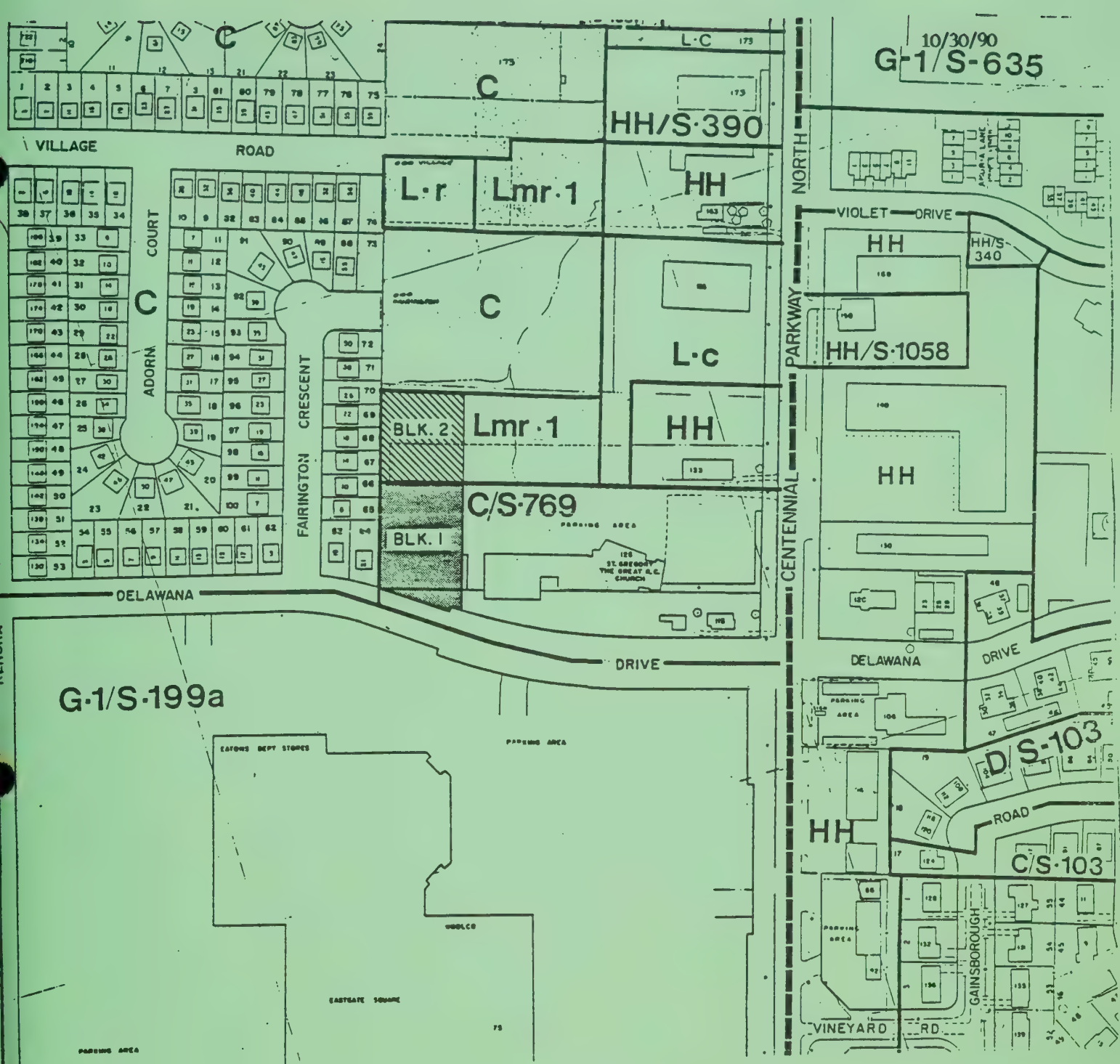
- Neighbourhood Boundary
- Zoning Boundary

Approval
Planning Committee AUG. 31, 1972 Council AUG. 31, 1972
Latest Revision Date SEPTEMBER 19, 1990.

CITY OF HAMILTON
PLANNING DEPARTMENT
MAP 1
STRATHCONA
APPROVED PLAN
EXTRACT

100 m
NORTH

Appendix "G" as referred to in
Section 11 of the EIGHTEENTH
Report for 1990 of the Planning
& Development Committee.

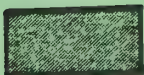


Appendix "H" as referred to in
Section 13 of the EIGHTEENTH
Report for 1990 of the Planning &
Development Committee.

LEGEND

PROPOSED CHANGE IN ZONING FROM:

BLOCK 1



"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT, MODIFIED TO
"DE-3" (MULTIPLE DWELLINGS) DISTRICT.

BLOCK 2



"L-mr-1" (PLANNED DEVELOPMENT - MULTIPLE RESIDENTIAL)
DISTRICT TO "DE-3" (MULTIPLE DWELLINGS) DISTRICT.



10/30/90

INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Information Systems Committee presents its **SIXTH** Report for 1990 and respectfully recommends:

1. That authorized copies of WordPerfect wordprocessing software be made available to the Hamilton Public, Hamilton-Wentworth Public and Hamilton-Wentworth Separate School Boards in accordance with the terms and conditions of the WordPerfect Corporation Software Donation Program.
2. That Section 1 (a) of the **FIRST** Report of the Information Systems Committee for 1989 be amended by deleting "John Thompson, Legislative Assistant, City Clerk's Department" and substituting in lieu thereof "Mrs. Lynn Dale, Legislative Assistant, City Clerk's Department" as permanent Secretary of the Information Systems Committee.
3. For the Information of the Members of City Council the Information Systems Committee directed that the following report be prepared:
 - (a) That the Director of Information Systems prepare a report outlining the options and feasibility of moving the mainframe computer facility out of the City Hall basement.
 - (b) That the report include location options, operational and cost impacts and optional timing schedule.

RESPECTFULLY SUBMITTED,

Lynn Dale,
Acting Secretary

**ALDERMAN J. GALLAGHER, CHAIRMAN
INFORMATION SYSTEMS COMMITTEE**

1990 October 22

10/30/90

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FOURTH** Report for 1990 and respectfully recommends:

1. That a purchase order be issued to BBS Equipment Sales Ltd., Downsview, in the amount of \$10 561.60, which was the lowest of two (2) quotations received, for the purchase of one (1) Stationary Steam Pressure Washer for Fleet Services, including one year service contract, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from Operating Equipment Account No. CF5500 609051014.
2. That a purchase order be issued to Stanchem, a business unit of ICI Canada Inc., Etobicoke, in the amount of \$12 342.78, which was the only tender received, to supply and deliver one tank wagon, approximately 9 500 litres of anti freeze, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Lubricants Accounts No. CH56204 27005.
3. That a purchase order be issued to Johnston Motor Sales, Hamilton, in the amount of \$32 801.04, which was the lowest of six (6) tenders received, for the replacement of two (2) 1/2 ton Pickup Trucks, Units #9318/22 for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.
4. That a purchase order be issued to G.C.Duke Equipment Ltd., Burlington, in the amount of \$19 429.20, which was the only tender received, for the purchase of two (2) Elephant Vacs for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Flushers, Vacalls, Vacuums Account No. CF5500 609051014.

10/30/90

5. That a purchase order be issued to Maurice Carter Chevrolet Oldsmobile (1990) Limited, Hamilton, in the amount of \$14 441.95, which was the lowest of nine (9) tenders received, for the purchase of One (1) 1991 Mid Size 4 Door Sedan for the City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Operating Equipment By-law Section Account No. CH58005 75020.
6. That a purchase order be issued to A City Glass (1989) Inc., Hamilton, in the amount of \$11 525, which was the lowest of seven (7) quotations received, for the replacement of windows at the Central Memorial Recreation Centre, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from Windows/Frame Replacement Central Memorial Account No. CH57365 31260.

NOTE: As these are exterior windows and should be replaced before the cold weather, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

7. That permission be granted to the Canadian Union of Public Employees, Local 167, to use the lobby and foyer areas of City Hall on Sunday, 1990 December 16 and each year thereafter from 1:00 p.m. to 4:00 p.m. for their Annual Children's Christmas Party.
8. That the request of the Latvian Society of Hamilton to fly the Latvian Flag at City Hall from 1990 November 14 - 21 during the Latvian Independence Day celebrations be granted.
9. That permission be granted to Greater Hamilton Food Share to use the following City Hall facilities and equipment during their Christmas Food Drive:
 - (a) a receptacle for food donations together with a table to display literature to be placed on the first and second floors during the week of 1990 December 3 - 7;
 - (b) an area on the second floor foyer from 1990 November 26 to December 14 for a display of prints by Hamilton artist, Gino Cavicchioli, the profits from which will be donated to Greater Hamilton Food Share.

10/30/90

10. That the following salary classification be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Superintendent of Facilities (formerly General Foreman/woman-Parks)	Supervises the operation and maintenance of all sports facilities.	I3	\$50 472.24 - \$59 471.88

11. That the salary classifications for the following non-union positions in the Traffic Department be approved in accordance with the recommendation made by Core Group at its meeting of 1990 October 9:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Mgr. Community Traffic Services	Manage the Legislative School Crossing and Parking Control Sections of the Traffic Department.	I	\$50 472.24 - \$59 471.88
Parking Control & Prosecution Co-ordinator	Administer the Parking Control and Prosecution Divisions and Prosecute by-law infractions.	L	\$39 040.04 - \$45 972.16
Parking Services Prosecutor (New Position)	Attend court and prosecute parking violations.	N	\$33 932.08 - \$40 013.48

12. That the salary classification for the following non-union position in the Building Department be approved in accordance with Section 13 of the Sixteenth Report of the Planning & Development Committee adopted by City Council 1990 September 25:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Supervisor of Inspection Services	To assist the Manager of Inspections in the provision of a living and working environment free of structural, safety, health and fire hazards and other nuisances through adequate control and maintenance for the citizens of Hamilton.	K	\$42 566.68 - \$50 107.20

10/30/90

13. (a) That the 1991 Licence Fees administered by the Licence Division of the City Clerk's Department be increased by 5%.
(b) That the City Solicitor be authorized and directed to prepare the necessary by-law amendment to reflect this increase.

14. That no action be taken to collect rental fees from the Ontario Municipal Board for the use of City Hall facilities.

NOTE: At its meeting held 1990 August 28 City Council adopted the following motion: "That the Finance and Administration Committee be requested to investigate the use of City Hall facilities by the Ontario Municipal Board to include the possible collection of rental fees for use of City Hall facilities."

For the information of the Members of City Council, a survey of Ontario municipalities has been conducted. None surveyed indicated that their municipality charges nor receives rental fees from the OMB for hearings. In addition, the City has been advised that the OMB does not pay any municipality for the use of facilities.

15. (a) That the Councillors Supplementary Pension Plan (to the OMERS Plan) be amended to exclude the reduction applied for Canada Pension Plan Benefits to enhance the final pension calculation.
(b) That this change to the Plan be financed by a lump sum payment of \$50 000 to be charged to the Reserve for Contingency, and by increasing the current budget estimate in 1991 to \$37 000.
16. That the 60% Spousal Benefit be implemented as the basic benefit in the Hamilton Municipal Retirement Fund Plan for the current active "others" members.
17. That Section 1 of the Seventeenth Report of the Finance and Administration Committee adopted by City Council 1990 May 29, which reads as follows, be rescinded:

10/30/90

"That in order to provide the amount required to fund the 60% Spousal Benefit for HMRF Firefighter members in the amount of \$1 018 000, the rate of employer (City) contributions for the Hamilton Municipal Retirement Fund (HMRF), for firefighters, be increased from 5.75% to 9.08% effective January 1, 1991, subject to the Treasurer receiving the Actuarial Surplus position from the Actuaries as at December 31, 1989, of the HMRF and reporting back to the Finance and Administration Committee later in 1990."

and that the following be adopted:

"That in order to provide the amount required to fund the 60% Spousal Benefit for HMRF Firefighter members in the amount of \$1 018 000 the rate of employer (City) contributions for the Hamilton Municipal Retirement Fund (HMRF), for firefighters, be increased from 5.75% to 9.08% effective 1991 January 1."

18. That the Actuarial Report dated 1990 August 17 prepared by the City of Hamilton Actuaries, the Wyatt Company, indicating a deficit position of \$298 000 of the Hamilton Municipal Retirement Fund (HMRF) as at 1989 December 31, be accepted with the approval of the following recommendations:
 - (a) That the City increase the contribution rate of members, which is presently 5.75% of pensionable earnings, until the next actuarial valuation of the Plan is conducted.
 - (b) That actuarial valuations continue to be conducted annually so that fluctuations in contribution requirements can be minimized.
19.
 - (a) That the project plan for PARCIL Project - Phase 1 be adopted.
 - (b) That the scope of PARCIL Project - Phase 1 be geographically the City of Hamilton, and that the Hamilton user community be initially limited to Fire, Planning, Public Works, Traffic, Building and Property Departments.
 - (c) That the Landbase for PARCIL Project - Phase 1 be developed with the topographic and planimetric layers completed for the City of Hamilton and the Cadastral and Infrastructure layers be completed for the area above the Escarpment in the City of Hamilton.
 - (d) That the Treasurer of the City of Hamilton develop a financial plan for the City of Hamilton portion of PARCIL Project - Phase 1.

10/30/90

20. (a) That the \$3 225 209 required for PARCIL Project - Phase I over the next three years, namely, 1990-\$541 274; 1991-\$2 245 440; 1992-\$438 495; be funded on an up-front basis from the Reserve for Capital Projects, Centre #00203.
- (b) That the Treasurer be authorized to set up a separate "Reserve for PARCIL Project" to track payments and recoveries associated with this project.
- (c) That the Treasurer be authorized to recover from the budget appropriations of the various departments listed on the schedule, attached hereto as Appendix "A", in the amounts and years shown.
21. (a) That the City Solicitor be authorized and directed to undertake the preparation of a Draft By-law to regulate the sale of tobacco products to minors based on the Draft By-law included in Dr. Michael Goodyear's submission to the Finance and Administration Committee dated 1990 October 25 on behalf of the Legislation Committee of the Hamilton-Wentworth Interagency Council on Smoking and Health.
- (b) That the City Solicitor be authorized and directed to draft a new By-law for regulating smoking in public places based on the spirit and letter of the workplace by-law restricting smoking in all areas except where smoke areas can be provided by the employers which are entirely separate and externally ventilated.
- (c) That public meetings be held to receive input on the Draft By-laws outlined in sections (a) and (b) above.
- (d) That the City Clerk report back to the Finance and Administration Committee identifying the means and cost of effectively enforcing this legislation.
22. (a) That the City settle Ontario Court of Justice (General Division) Action No. 19696/90 by payment to the Plaintiff, Anna Franks, of \$1 000 inclusive of damages, interest and costs.
- (b) That the Plaintiff be required to execute a Full and Final Release satisfactory to the City Solicitor.
- (c) That the Action be dismissed without costs.

10/30/90

23. That the City agree to make payment of \$4 750, inclusive of interest and costs, to the Plaintiffs, Judy Major Mabley and Herbert Connolly Jr., to resolve Ontario Court of Justice (General Division) Action No. 3937/86.
24. That the City agree to make payment of \$9 268.03, inclusive of interest and costs, to the Plaintiffs, Victoria and Enzo Dellamaestra, to resolve Ontario Court of Justice (General Division) Action No. 3080/87.
25. That leave be granted to introduce the following Bill:

Bill H-111 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1990 October 25

PARCEL - PHASE 1 SAVINGS BY GROUP		BASELINE COSTS	SAVINGS				TOTAL SAVINGS
GRP NO	GROUP NAME		1990	1991	1992	1993	
	HAMILTON						
7P	PUBLIC WORKS	\$28,321	\$0	\$2,987	\$7,468	\$4,481	\$14,936
7T	TRAFFIC	\$344,576	\$0	\$4,386	\$10,964	\$6,578	\$21,928
8	PLANNING-LOCAL	\$501,076	\$0	\$22,369	\$89,477	\$111,846	\$223,693
15	FIRE	\$424,892	\$0	\$8,658	\$17,317	\$34,633	\$60,608
18	BUILDING	\$81,255	\$0	\$5,166	\$7,748	\$12,914	\$25,828
21	PROPERTY	\$218,183	\$0	\$6,139	\$18,418	\$36,836	\$61,393
	TOTAL - HAMILTON	\$1,598,303	\$0	\$49,705	\$151,392	\$207,288	\$408,385

NOTICE OF MOTION

NOTICE OF MOTION

Alderman J. Gallagher gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED:

"That staff be directed to prepare the 1991 budget estimates on the basis of a zero percent increase over the 1990 estimates for the City of Hamilton."

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, November 13, 1990
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNIC. HL
NOV 19 1990
GOVERNMENT DOCUMENTS

AGENDA

1. Opening Prayer

The Reverend Bruce Gregersen
Melrose United Church
86 Homewood Avenue
Hamilton

2. Presentation

City Aldermen Retirement Rings to
former Alderman David Christopherson and Alderman John Smith

3. Proclamation

"Zonta International Day", November 8, 1990

2nd floor

CA40NHBL ADS

URBAN/MUNICIPAL

A31
1990

4. Minutes

October 30, 1990

5. Petitions and Correspondence

6. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (e) Licensing Committee
- (h) Finance and Administration Committee

7. Notices of Motion for Next Meeting

8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment

MINUTES

MEETING OF HAMILTON CITY COUNCIL

Tuesday, October 30, 1990

7:30 o'clock p.m.

Council Chamber

The Council met.

PRESENT: Robert M. Morrow, Mayor
Aldermen T. Cooke, M. Kiss, V. Agro, W. McCulloch, B. Hinkley,
D. Drury, G. Copps, D. Agostino, F. Lombardo, T. Jackson,
H. Merling, J. Gallagher, D. Ross, T. Murray

His Worship Mayor Robert M. Morrow called the meeting to order.

* * * * *

Archdeacon John Rathbone, Rector of All Saints Anglican Church led the Council in prayer.

* * * * *

The following presentations were made:

- (a) Mayor's Award of Merit to Cliff Dumas
- (b) Certificate of Appreciation to the City of Hamilton from Mohawk College for the Contribution to the Diploma Program in Recreation Leadership.

* * * * *

His Worship Mayor Robert M. Morrow read the following Proclamations:

- (a) Diabetes Month - November 30, 1990
- (b) "Mums Touchdown Time" - Mum Show Committee - Opening Ceremonies

* * * * *

The Minutes of the meeting of October 9, 1990 were taken as read and approved.

* * * * *

The following communications were received:

1. Letter from the Mr. Raymond Lauze, 1211 Garthdale Court, Oakville, Ontario dated September 29, 1990 respecting Native Rights.

**Referred to the Finance
and Administration Committee**

2. Resolution from the City of Etobicoke respecting the Revitalization of the Etobicoke Waterfront and the Crombie Commission Report on the Future of the Toronto Waterfront.

**Referred to the Planning and
Development Committee**

3. Letter from the City of Toronto respecting the Implementation and Enforcement of the CFC (Chlorofluorocarbon) By-law.

**Referred to the Transport and
Environment Committee**

4. Resolution from the City of North York respecting the Goods and Services Tax - Federal Government.

**Referred to Finance and
Administration Committee**

5. Application from Presbyterian Residences (Hamilton) Inc., c/o 1015 - 135 James Street South, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "DE" (low Density Multiple Dwellings) District for property on the west side of Rice Avenue, South of Chedmac Drive.

Received

6. Application from Britannia Decorating and Painting Limited, 179 Stone Church Road West, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 179 Stone Church Road West.

Received

7. Application from Frederick and Gwynette Seymour, 60 West Avenue South, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc) District for 70 West Avenue South.

Received

8. Application from Don Peppino Foods Inc., c/o 900 - 105 Main Street East, Hamilton, Ontario for a modification to the "M-12" (Prestige Industrial) District regulations for property located at 1515 Upper Ottawa Street.

Received

9. Application from Chrysler Canada Limited, P.O. Box 1621, Windsor, Ontario for a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District modified for lands located north of Stone Church Road West and west of Upper James Street.

Received

10. Application from Luciano Scornaienchi, 177 Annabelle Street, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for 1258 Upper Wentworth Street.

Received

11. Application from Badima & Bosc Corporation, 19 Aikman Avenue, Hamilton, Ontario for a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for 19 Aikman Avenue.

Received

12. Application from Cynthia Watson, 52 Muscot Drive, Stoney Creek, Ontario for a modification to the "C" (Urban Protected Residential, etc.) District for 111 Prospect Street South.

Received

13. Application for a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District and "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for 623 Upper James Street.

Received

14. Letter (undated) received today (October 30, 1990) from Dr. G. Lewis respecting smoking in public facilities.

**Referred to Finance and
Administration Committee**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Reports, with Alderman Agro in the chair.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTEENTH REPORT.

It was moved by Alderman Merling and seconded by Alderman Jackson

RESOLVED: That Rule No. 8 of Procedural By-law No. 82-208 be invoked for the meeting of City Council in order to permit consideration of a resolution respecting improvements to Glover Road. CARRIED.

It was moved by Alderman Merling and seconded by Alderman Jackson

RESOLVED: That the following be added as Section 15 of the Fourteenth Report of the Transport and Environment Committee

15. That the Public Works Department be authorized and directed to resurface Glover Road from Rymal Road to the South City Limits at a cost of \$80 000.00, the work to be undertaken as part of the 1990 Road Reconstruction Programme. CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Lombardo

RESOLVED: That Section 3 of the Twelfth Report of the Transport and Environment Committee adopted by City Council on September 25, 1990, authorizing the Public Works Department to reimburse citizens for a four foot extension to wooden fences along the western side of the Sanatorium Yard at 2418 Barton Street, East, be reconsidered. CARRIED.

It was moved by Alderman Merling and seconded by Alderman Lombardo

RESOLVED: That Section 3 of the Twelfth Report of the Transport and Environment Committee be referred back. CARRIED.

* * * * *

PARKS AND RECREATION COMMITTEE - NINETEENTH REPORT

Section 14 - Re: Fit Trek Delegation - U.S.S.R. - Penza
- November 16 - 25, 1990

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps,
Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Alderman Kiss - 1. **CARRIED.**

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PLANNING AND DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT

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PLANNING AND DEVELOPMENT COMMITTEE - NINETEENTH REPORT

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INFORMATION SYSTEMS COMMITTEE - SIXTH REPORT

Section 1 Re: Authorizing copies of Word Perfect, Word Processing Software to be made
available to Boards of Education.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps,
Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Alderman Kiss - 1. **CARRIED.**

* * * * *

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-FOURTH REPORT

Section 19 Re: Approval of PARCIL Project, Phase I Project

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Lombardo,
Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, Copps, Agostino, Merling. - 4. **CARRIED.**

* * * * *

Section 20 Re: Method of Financing PARCIL Project, Phase I

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Lombardo, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, Copps, Agostino, Merling. - 4. CARRIED.

* * * * *

Section 21 (a) Re: Authorizing the City Solicitor to undertake the preparation of a draft by-law to regulate the sale of tobacco products to minors.

It was moved by Alderman Gallagher and seconded by Alderman Merling

RESOLVED: That Sub-section (a) of Section 21 of the Twenty-Fourth Report of the Finance and Administration Committee be amended by deleting all wording after the word "minors" in the third line. CARRIED.

* * * * *

Section 21 (b) Re: Authorizing the City Solicitor to draft a new by-law for regulating smoking in public places.

It was moved by Alderman Lombardo and seconded by Alderman Agostino

RESOLVED: That Sub-section (b) of Section 21 of the Twenty-Fourth Report of the Finance and Administration Committee be amended by deleting all wording following the words "public places" in the second line.

Recorded Vote:

YEAS: Aldermen Cooke, Kiss, Agro, Hinkley, Copps, Agostino, Lombardo, Ross. - 8.

NAYS: Mayor Morrow, Aldermen McCulloch, Drury, Merling, Gallagher, Murray. - 6. CARRIED.

Recorded vote on Section 21 (b) as amended

YEAS: Aldermen Cooke, Kiss, Agro, Hinkley, Copps, Agostino, Lombardo, Ross. - 8.

NAYS: Mayor Morrow, Aldermen McCulloch, Drury, Merling, Gallagher, Murray. - 6. CARRIED.

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on Section 21 (b) as he is the owner of two coffee shops in the City which could be affected by this by-law.

* * * * *

Section 21 (c) Re: Holding of public meetings to receive input on draft by-laws.

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That Sub-Section (c) of Section 21 of the Twenty-Fourth Report of the Finance and Administration Committee be amended by adding the words "as amended" following the word "above" in the second line. **CARRIED.**

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Ross

RESOLVED: That Rule No. 8 of Procedural By-law 82-208 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the official Kickoff/City Council Reception to announce Hamilton's Hosting of the Ontario Games for the Physically Disabled. **CARRIED.**

It was moved by Alderman Hinkley and seconded by Alderman Ross

RESOLVED: That the following be added as Section 26 of the Twenty-Fourth Report of the Finance and Administration Committee:

26. That the Organizing Committee for the Ontario Games for the Physically Disabled through the Department of Culture and Recreation, receive approval to obtain a Special Occasion Permit to host a wine and cheese reception on 1990 November 13, 4:30 - 5:30 p.m., City Hall 2nd Floor Foyer for the official Kickoff/City Council Reception to announce Hamilton's Hosting of the Ontario Games for the Physically Disabled. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That Alderman McCulloch be appointed Acting Mayor for the month of November, 1990. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

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It was moved by Alderman Gallagher and seconded by Alderman Merling

RESOLVED: That staff be directed to prepare the 1991 budget estimates on the basis of a zero percent increase over the 1990 estimates for the City of Hamilton.

It was moved by Alderman Gallagher and seconded by Alderman Merling

RESOLVED: That the motion respecting the 1991 Budget Estimates be amended by adding the following:

- That cuts in services be proposed to Committees to achieve a zero increase in budget allocations;
- That in the event that Committees and/or Council approve an increase over the 1990 budget allocations, it be limited to the projected rate of inflation for 1991.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

Recorded Vote on Alderman Gallagher's motion as amended

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Report of the Committee of the Whole on the above Reports, as amended, and resolutions, be adopted.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - **CARRIED.**

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Merling

RESOLVED: That staff be directed to prepare the 1991 budget estimates on the basis of a zero percent increase over the 1990 estimates for the City of Hamilton.

It was moved by Alderman Gallagher and seconded by Alderman Merling

RESOLVED: That the motion respecting the 1991 Budget Estimates be amended by adding the following:

- That cuts in services be proposed to Committees to achieve a zero increase in budget allocations;
- That in the event that Committees and/or Council approve an increase over the 1990 budget allocations, it be limited to the projected rate of inflation for 1991.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - **CARRIED.**

Recorded Vote on Alderman Gallagher's motion as amended

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - **CARRIED.**

* * * * *

It was moved by Alderman Agro and seconded by Alderman Kiss

RESOLVED: WHEREAS the south side of King Street East has not been successful as a pedestrian mall, and

WHEREAS the merchants on that side of the street have suffered financially because all vehicular traffic is prohibited from 11:00 a.m. to 6:00 p.m. and

WHEREAS the merchants themselves on the south leg have made this request,

BE IT RESOLVED that the prohibition be removed to allow one lane of traffic and some restricted loading zones to allow pick-up and drop offs similar to the privilege recently granted the taxi cabs, and that the present bus depots be not interfered with; and

FURTHERMORE that this be done on a trial basis for four (40 months.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, Hinkley, Drury, Copps, Agostino, Ross. - 8.

NAYS: Aldermen Cooke, McCulloch, Lombardo, Jackson, Merling. - 5 CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the following Bills be now read a first time:

A-129, A-130, A-131, A-132, A-133, A-134,
A-135, A-136.

B-105.

C-145, C-146, C-147, C-148, C-149, C-150
C-151, C-152, C-153.

H-111.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Jackson, Merling, Ross. - 13.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Agro in the chair. (second reading)

A-129, A-130, A-131, A-132, A-133, A-134,
A-135, A-136.

B-105.

C-145, C-146, C-147, C-148, C-149, C-150
C-151, C-152, C-153.

H-111.

Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Lombardo, Jackson, Merling, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that

RESOLVED: That the Report of the Committee of the Whole (second reading) on the Bills, be adopted. -

Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Lombardo, Jackson, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws

A-129, A-130, A-131, A-132, A-133, A-134,
A-135, A-136.

B-105.

C-145, C-146, C-147, C-148, C-149, C-150
C-151, C-152, C-153.

H-111.

Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Lombardo, Jackson, Ross, Murray. - 12.

NAYS: 0 - CARRIED.

* * * * *

City Council then adjourned at 9:50 o'clock p.m.

CORRESPONDENCE

Correspondence

1. Resolution from the City of Orillia respecting increase funding for shelters and mental health clinics.

Recommendation: Be Referred to the Region's Health and Social Services Committee.

2. Application from Stephen Wood and John Kenneth Wood, 589 Stone Church Road West, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family Townhouses, etc.) District for 585 Cannon Street East, Hamilton, Ontario dated October 31, 1990.

Recommendation: Be Received.

3. Application from Tonino and Maria DiFranco, 204 Rymal Road West, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property at No. 204 Rymal Road West, Hamilton, Ontario dated November 6, 1990.

Recommendation: Be Received.

4. Application from the Hamilton-Wentworth Roman Catholic Separate School Board, 90 Mulberry Street, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District to "C" (Urban Protected Residential, etc.) District for 295 Green Cedar Drive, Hamilton dated November 7, 1990.

Recommendation: Be Received.

5. Application from 775751 Ontario Inc. - Fausto Carnicelli, 1418 Upper Sherman Avenue, Hamilton for a change in zoning from "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 1425 & 1429 Upper James Street, dated November 8, 1990.

Recommendation: Be Received.

City of



Orillia

35 WEST STREET N.
P.O. BOX 340
ORILLIA, ONTARIO
L3V 6J1

OFFICE OF THE CLERK-ADMINISTRATOR
October 29, 1990

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To the Councils of All Municipalities
with a population of greater than 20,000 people
in the Province of Ontario:

CITY CLERKS

This is to advise you that the Council of the City of Orillia, at its meeting held on October 22, 1990, passed the following resolution:

"WHEREAS half a million women in Ontario are victims of assault and only one-tenth of them have access to a shelter or safe place;

AND WHEREAS children of abusers are also victims of abuse and grow up to be abusers or partner an abuser thus perpetuating the cycle;

AND WHEREAS female abuse is not restricted to any economic, social or age group;

AND WHEREAS the waiting list for abusers to receive counselling is anywhere from six months to two years;

AND WHEREAS regardless of gender or age, freedom from assault is every person's basic right.

THEREFORE BE IT RESOLVED that this Council urges the Provincial and Federal governments to increase funding for shelters and mental health clinics and to take whatever further steps are necessary to better educate the public that physically, sexually or mentally abusing women is not acceptable behaviour and will be punished in a court of law;

AND THAT this resolution be forwarded to the following:

Honourable Anne Swarbrick, Provincial Minister Responsible for Women's Issues

Honourable Perrin Beatty, Federal Minister of National Health and Welfare

Association of Municipalities of Ontario

Honourable Douglas G. Lewis, M.P.

Allan McLean, M.P.P.

and to all municipalities over 20,000 population in the Province asking for their support."

Our Council urge you to support its position and to express your views to the Provincial and Federal governments of Ontario.

Yours truly,

Ronald J. Ellett, A.M.C.T.,
City Clerk.



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11/13/90

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1990 and respectfully recommends:

1. (a) That the applications for on site Garbage Collection service to the following locations, be approved during the pleasure of Council:

<u>Applicant</u>	<u>Location</u>
1. Wentworth Condominium Corporation No. 145	255 Mount Albion Road
2. Valery Construction Limited	40 Grayrocks Ave.
3. Valery Construction Limited	14 Derby Street
4. Valery Construction Limited	15 Derby Street
5. A. DeSantis Holdings Limited	543 Queenston Road

- (b) That the owners enter into agreements satisfactory to the City Solicitor to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such insurance to be in an amount satisfactory to the Director of Public Works.
- (c) That the Mayor and City Clerk be authorized to sign and execute these agreements.

11/13/90

2. That a purchase order be issued to the Canadian Corps of Commissioners (Hamilton), Hamilton for parking enforcement services for 1991, in accordance with specifications issued by the Manager of Purchasing and vendor's tender as follows:

	<u>Hourly Rate</u>
Sergeant	\$ 11.04
Corporal	\$ 10.56
Commissionaire	\$ 10.13

Plus 7% GST

NOTE: Funds provided in By-law Services, Traffic By-law Enforcement Account No. CH56323 75020.

3. That a purchase order be issued to Sifto Canada Inc., Toronto, for the supply and delivery of sodium chloride during the 1990 - 1991 Winter season in accordance with specifications issued and vendor's tender, as follows:

Coarse Crushed in 22.5 Tonne Dump Truck Loads - \$ 33.58 per metric tonne

FST exempt. PST included. GST will be extra when applicable.

NOTE: Lowest of three (3) tenders received. Funds provided in Stock Account No. CH56197 60999.

4. That purchase orders be issued for the supply and delivery of sand, treated and untreated, for the 1990 - 1991 Winter season, in accordance with specifications issued by the Manager of Purchasing and vendors' tenders, as follows:

- (a) Lakeview Sand and Gravel, Paris for Treated Sand
\$15.78 per metric tonne - delivered

\$12.13 per metric tonne - picked-up

- (b) TCG Materials, Cambridge for Untreated Sand
\$ 7.70 per metric tonne - delivered

Provincial Sales Tax extra at 8%
After January 1, 1991, 7% GST will apply

NOTE: Lowest of four (4) tenders received. Funds provided in Stock Account No. CH56197 60999.

5. That the appropriation for the City share for the agreement regarding construction of an elevated sidewalk and handrail with Wellington Chase Inc. for lands on the east side of Upper Wellington Street, approved by City Council on December 13, 1988, be increased from \$9,946.26 to \$29,000.00 and that the Finance and Administration Committee recommend the source of funding.
6. That the Commissioner of Engineering be directed to tender the following 3 options for a contract for placement of benches at various locations throughout the City of Hamilton on road allowances for a four year term. Each option will be subject to the following conditions:
 - (a) That an Agreement be entered into with the City of Hamilton to the satisfaction of the Commissioner of Engineering and the City Solicitor.
 - (b) That an annual fee be paid per bench, such fee to be non-refundable for benches removed from the road allowance.
 - (c) That the applicant provide an alphabetical street name inventory, defining where all benches are placed on the road allowance.
 - (d) That the applicant provide, at the time of each annual payment, a map on which each bench location shall be shown.
 - (e) That the applicant provide \$2,000,000.00 public liability insurance, naming the City as an added insured party, and saving the City harmless from all actions, interests, claims, demands, costs, damages, expenses, and loss.
 - (f) That the Mayor and City Clerk be authorized and directed to execute the Agreement on behalf of the City.
 - (g) That no benches with advertising be placed in the City of Hamilton's "Downtown Area" bounded by and including Main Street and Wilson Street, and Bay Street and Wellington Street.

11/13/90

- (h) That no benches with advertising be placed at bus stops with transit shelters where advertising is on the transit shelter, such restriction not to apply to benches for charitable organizations or benches without advertising.
- (i) That the successful applicant be permitted to install a maximum of 500 benches at locations determined by the following criteria:
 - (i) No bench shall be placed in such a manner as to obstruct pedestrian traffic and in no case shall it be placed on a sidewalk having a width of 2.0 m or less.
 - (ii) No bench shall be placed within 6.0 m of any fire hydrant.
 - (iii) No bench shall be placed so as to interfere with or obstruct any street maintenance operation, and in no case shall a bench be within 11.0 m of a bus stop during the months of December to April inclusive.
 - (iv) Benches shall not be installed until prior approval of each bench location is received from the Commissioner of Engineering, and in all commercial areas, benches shall not be installed without first obtaining the approval of the Neighbourhood Business Association. All benches shall be maintained to the satisfaction of the Commissioner of Engineering.

Option I:

That the successful applicant make available to the City 5% of the benches for local service organizations, who will be responsible for the cost of the art work only.

Option II:

- (a) That the following three categories of bench types and locations be established:

(i) Bench

Type: benches with large advertising

Permitted

Locations: in commercial and industrial districts

(ii) Bench

Type: benches with discreet advertising in the form of a plaque (e.g. this bench donated by) or letters burned into the wooden back

Permitted

Locations: (a) in parks fronting main streets
(b) public places - facing out to street
(c) residential neighbourhoods
(d) as in (i) above

(iii) Bench

Type: no advertising

Permitted

Locations: (a) historical districts
(b) facing into parks
(c) public places - facing into space
(d) facing designated architectural and/or historical structures
(e) as in (i) and (ii) above

- (b) That for every 6 benches with advertising, 2 benches with discreet advertising and 2 benches with no advertising must be supplied.

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Option III

- (a) That the following two categories of bench types and locations be established.

- (i) Bench
Type: benches with large advertising

Permitted

- Locations: (a) in commercial and industrial districts
(b) public places - facing out to street

- (ii) Bench
Type: benches with discreet advertising in the form of a plaque (e.g. this bench donated by ...) or letters burned into the wooden back

Permitted

- Locations: (a) residential neighbourhood
(b) facing designated architectural and/or historical structures
(c) as in (i) above

- (iii) Bench
Type: no advertising

Permitted

- Locations: (a) facing into parks
(b) as in (i) and (ii) above

- (b) That for every 6 benches with advertising, 2 benches with no advertising must be supplied.

7. That an Offer to Purchase executed by 832200 Ontario Limited (Sol D. Frankel) on October 17, 1990 and scheduled for closing on or before January 8, 1991, for the purchase of a one (1) foot reserve along the easterly limit of Templemead Drive, be approved and completed.

NOTE: The subject property is a one (1) foot strip of land along the easterly limit of Templemead Drive, shown as Part 14 on Plan 62R-4121), containing a total area of 19.42 square metres (209 square feet). The purchase price of \$1.00 to be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land).

8. That an Offer to Purchase executed by Hilliard Clark Harnden, Helen Ann Anderson in Trust and Helen Ann Anderson on October 15, 1990 and scheduled for closing on or before January 8, 1991, for the purchase of a one (1) foot reserve along the easterly limit of Eaglewood Drive, be approved and completed.

NOTE: The subject property is a one (1) foot strip of land along the easterly limit of Eaglewood Drive, shown as Parts 8, 9, 10, 11, 12 and 13 on Plan 62R-11237, containing a total area of 18.4 square metres (198.06 square feet). The purchase price of \$1.00 is to be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land).

9. That an Offer to Purchase executed by 456941 Ontario Limited (Paul Silvestri) on October 18, 1990 and scheduled for closing on or before January 8, 1991, for the purchase of a one (1) foot reserve along the easterly limit of Eaglewood Drive, be approved and completed.

NOTE: The subject property is a one (1) foot strip of land along the easterly limit of Eaglewood Drive, shown as Part 14 on Plan 62R-11237, containing a total area of .93 square metres (10 square feet). The purchase price of \$1.00 is to be credited to Account No. CH4X501 00107 (Services through Unsubdivided Land).

10.
 - (a) That a new activity, titled Maintenance of Walkways, Account No. 60139 51401 be created by transferring \$28,950.00 from Roadside Manual Weed Cutting Account No. 60150 51401 and \$4,550.00 from Water Delivery Account No. 60510 44042.
 - (b) That the Keep Hamilton Clean Committee be requested to review the existing circumstances whereby several residents maintain the grass, collect the debris from the walkways in their neighbourhood, with the objective of encouraging and recognizing these residents to continue with these efforts.
 - (c) That the Manager of Streets evolve a 3 year program to upgrade pathways and sidewalks so that all pathways/sidewalks are concrete and up to municipal standards.
 - (d) That the Manager of Parks evolve a 3 year program to upgrade the barren and denuded areas beyond the pathways/sidewalks or arrange to spray the area to control the weeds.

11/13/90

11. That to respond to the concerns of the 4 residents at 59, 63, 67 and 71 Janet Court backing onto the yard of the Sanitation Depot at 2418 Barton Street East and having to view the trucks, employees and employees' vehicles; that there be some visual screening between their back yards and the sanitation yard along the fence line by:
 - (a) Reimbursing the residents at 59 Janet Court for meadow 4 foot extension to the wooden fence at an estimated cost of approximately \$2,000.00 to be charged to Account No. CH56103 61068 General Roadway Maintenance. It is understood by the residents and the City that although the City is participating by paying this extension to the fence that the fence and 100% of the maintenance responsibility rests with the resident.
 - (b) Removing the existing chain link fence, supplying and installing steel beam guide rail and supplying and planting coniferous trees at 30 foot centres along the rear property line of the residences at 63, 67 and 71 Janet Court at an estimated cost of approximately \$6,500.00 to be charged to Account No. CH56103 60168 General Roadway Maintenance.
12. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first two applicants residing in the building at No. 70 Augusta Street.
13. That the City Traffic By-law No. 89-72 be amended to provide the following:
 - (a) That the existing "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation on both sides of West 33rd Street between Bendamere Avenue and Leslie Avenue be replaced with a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation.
 - (b)
 - (i) That the two metered parking spaces on the east side of Mary Street immediately south of Wilson Street be removed; and
 - (ii) That a "One Hour Parking Time Limit, 8:00 a.m. to 9:00 p.m., 7 days a week" regulation be implemented on the east side of Mary Street commencing at Wilson Street and extending to a point 76 feet southerly therefrom.

- (c) That the existing "Permit Parking" regulation on the east side of Ray Street South between Jackson Street West and Canada Street be replaced with a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation.
- (d)
 - (i) That parking be prohibited on the south side of the north leg of Burland Crescent from the east curb line of the west leg to a point 124 feet easterly therefrom; and
 - (ii) That parking be prohibited on the east side of the west leg of Burland Crescent from the south curb line of the north leg to a point 83 feet southerly therefrom.
- (e) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation, be implemented on the south side of Delmar Drive between Cambria Court and Geneva Drive.
- (f)
 - (i) That the existing "Permit Parking" regulation on the north side of Princess Street between Earl Street and Sherman Avenue be shortened such that there is unrestricted parking from Sherman Avenue to a point 134 feet west; and
 - (ii) That the maximum number of permits to be issued for the block be reduced from 20 to 18.
- (g)
 - (i) That a "Permit Parking" regulation be implemented on the north side of Woodbine Crescent commencing at a point 398 feet west of York Boulevard and extending to a point 22 feet westerly therefrom; and
 - (ii) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to Mrs. P. Shabone, 27 Woodbine Crescent.
- (h) That the existing parking prohibition on the west side of Northgate Drive commencing at the southerly limit and extending to a point 45 feet northerly therefrom, be removed.

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- (i) (i) That westbound traffic on Avonbridge Court be required to stop for northbound and southbound traffic on Rexford Drive; and
- (ii) That westbound traffic on Ashcroft Drive be required to stop for northbound and southbound traffic on Rexford Drive; and
- (iii) That northbound traffic on Amblecote Place be required to stop for eastbound and westbound traffic on Ashcroft Drive; and
- (iv) That northbound traffic on Alconbury Drive be required to stop for eastbound and westbound traffic on Ashcroft Drive/Attfield Place; and
- (v) That eastbound traffic on Ambridge Court be required to stop for northbound and southbound traffic on Alconbury Drive; and
- (vi) That eastbound traffic on Avonmore Court be required to stop for northbound and southbound traffic on Alconbury Drive; and
- (vii) That eastbound traffic on Astonwood Drive be required to stop for northbound and southbound traffic on Rexford Drive; and
- (viii) That southbound traffic on Alconbury Drive be required to stop for eastbound and westbound traffic on Rexford Drive.
- (j) That a three-way stop control be implemented at the intersection of San Remo Drive and San Antonio Drive.
- (k) That a three-way stop control be implemented at the intersection of Hunter Street West and Poulette Street.

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14. That leave be granted to introduce the following Bills:

Bill A-137 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Bill A-138 A By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Tina Agnello, Secretary

November 5, 1990

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTIETH** Report for 1990 and respectfully recommends:

1. (a) That the Feasibility Study for a Senior Citizen's Centre - Final Report prepared by Institute of Environment Research Inc. dated September 1990 be accepted and that the Ministry of Tourism and Recreation be informed.
- (b) That the recommendations of The Feasibility Study for a Senior Citizens Centre - Final Report endorsed unanimously by the Steering Committee, be accepted for appropriate action.
- (c) That the site of Sackville Hill Memorial Park be accepted.
- (d) That the one floor plan for the Centre be accepted with architectural consideration for a future second floor.
- (e) That following Capital Budget approvals, the Director of Property be authorized to call for tenders in accordance with architectural design recommended by the Consultant's Report, for City Council approval.
- (f) That the contribution made by Mr. Sackville Hill be appropriately recognized by naming the new facility, "Sackville Hill Older Adult Centre".
- (g) That a plaque to identify Mr. Sackville Hill's donations to the City be appropriately placed.
- (h) That the capital cost projection of \$3.5 million be referred to the Finance and Administration Committee.

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2. (a) That a purchase order be issued to Moore/George Associates, Toronto, in the amount of \$98 600, being the lowest acceptable of seven (7) proposals received, for design specification, contract documents and construction supervision for the development of the Albion Falls Recreation Area, in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's proposal, and that this expenditure be financed from Red Hill Creek Master Plan Implementation Account No. CF5500 629054013.

(b) That a contract be entered into satisfactory to the City Solicitor.

(c) That a contingency of 10% of the contract amount be approved.
3. That the purchase order to McLean-Peister Limited, Kitchener, in the amount of \$150 499, approved by Council 1990 August 28 be amended by adding the following change orders:
 - (a) Change Order 1
 - i. Steel Railing and Stone Pillar Fence - extra \$14 437.50
 - ii. Centre Lookout adjusting the geometry of paving stone and planting bed - credit 3 626.00
 - (b) Change Order 2
 - i. Strongman's Lookout - extra 2 691.60
 - ii. Paving Stone - extra 325.40and that this expenditure be financed from the Sam Lawrence Redevelopment Account No. CF5255 628954002.
4. That the Arena Feasibility Report prepared by Cummings Cockburn Inc. received at the 1989 November 7 meeting of the Parks and Recreation Committee be accepted and that the Ministry of Tourism and Recreation be informed that the Consultant has addressed the terms of reference and supports the revised site selection.

5. That permission be granted to finance the replacement of Christmas decorations and the manpower requirements for the Christmas display in Gore Park, at an estimated cost of \$15 000 to be financed by means of an overdraft of approximately \$10 0000 from Account No. CH 55321 70005.

NOTE: As a result of the break-in at the Public Works Storage area all traditional displays have been a major loss. Insurance replacements can be considered for 1991 but temporary measures are required for this year's decorations.

6. That a purchase order be issued to A. J. Clarke & Associates Ltd., Hamilton, in the amount of \$10 238.75, being the only price obtained, for survey costs, Chedoke Hospital Site, Twin Pad Arena, in accordance with Vendor's quotation, and that this expenditure be financed from West Mountain Twin Pad Arena-Soil Investigation Account No. CF5412 709041012.

7.
 - (a) That the Conceptual Design, Scheme No. 2, as set out in the Feasibility Study, Phase III, for the West Mountain Twin Pad Arena, prepared by Svedas, Koyanagi, Associates Inc., dated 1990 November 01 be approved as the preferred option for development of the project.
 - (b) That the total funding of the project of \$9 688 000 including road improvements to Chedmac Drive of \$450 000 be acknowledged and approved.
 - (c) That the additional capital cost projections in the amount of \$4 079 590 be referred to the Finance and Administration Committee.
 - (d) That the Arena Working Sub-Committee comprising of Aldermanic and Staff representatives, continue to oversee the project during construction.

8. A. That the Option to Purchase Agreement between The Chedoke Health Corporation and the City be approved, encompassing:

- (a) Part of township Lot Number Fifty-Six (56), and Part of township Lot Number Fifty-Seven (57), in the second concession of the geographic township of Ancaster, now in the said City of Hamilton, and also being composed of Lot Numbers 233 to 238 (both inclusive) and Lot Number 242 and Parts of Lot Numbers 231, 232, 239, 240, 241, 243, 244, 245, 246, 247, 248 and Parts of Goulding Ave., Dunlop Ave. and Hendry Ave., all according to a Plan of Subdivision known as Mountain View Survey filed in the Land Registry Office for the Registry Division of Wentworth as Registered Plan Number 575, all of the hereinbefore described lands being designated as PARTS Twenty-One (21) and Twenty-Two (22) according to a Plan of Survey deposited as Plan 62R- (a copy of this draft Reference Plan prepared by A. J. Clarke & Associates Ltd. dated October 2, 1990 and numbered by them as Plan T-1220-B is attached hereto as Schedule "B" and said Plan is hereinafter referred to as the "draft Plan").

SUBJECT TO an Easement in favour of The Regional Municipality of Hamilton-Wentworth over Part of township Lot Number Fifty-Six (56) and Part of township Lot Number Fifty-Seven (57) in the second concession of the geographic township of Ancaster, now in the said City of Hamilton, and designated as PART Twenty-One (21) according to Plan 62R- (the said "draft Plan") aforesaid for the purposes set out in Instrument Number 146404 A.B..

The foregoing described land is hereinafter referred to as the "Arena lands".

- (b) Part of township Lot Number Fifty-Six (56), and Part of township Lot Number Fifty-Seven (57), in the second concession of the geographic township of Ancaster, now in the said City of Hamilton, and being designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19 and 20 according to a Plan of Survey deposited as Plan 62R- (a copy of this draft Reference Plan prepared by A. J. Clarke & Associates Ltd. dated October 2, 1990 and numbered by them as Plan T-1220-B is attached hereto as Schedule "B" and said Plan is hereinafter referred to as the "draft Plan").

SUBJECT TO an Easement in favour of The Regional Municipality of Hamilton-Wentworth over Part of township Lot Number Fifty-Six (56) and Part of township Lot Number Fifty-Seven (57) in the second concession of the geographic township of Ancaster, now in the said City of Hamilton, and designated as PARTS One (1), Ten (10), Fifteen (15) and Eighteen (18) according to Plan 62R- (the said "draft Plan") aforesaid for the purposes set out in Instrument Number 146404 A.B..

SUBJECT TO a right-of-way over Part of township Lot 56 and Part of township Lot 57 in the second concession in the geographic township of Ancaster, now in the said City of Hamilton and designated as PARTS Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) according to Plan 62R-(the said "draft Plan") aforesaid for the purposes set out in Instrument No. 191023 A.B..

SUBJECT TO an Easement in favour of Chedoke Health Corporation over Part of township Lot 57, concession 2, Township of Ancaster, designated as Parts Four (4) and Seven (7).

The foregoing described parcel of land is herein after referred to as the "Highway lands" with the exception of the one foot reserves included therein which may be referred to herein as the "Reserve Lands".

All of the above form part of 472 Sanatorium Road.

- B. That the Option to Purchase the said Arena, Highway and Reserve Lands duly executed on November 02, 1990 by Chedoke Health Corporation, be approved for completion within forty (40) days following the receipt by the City of the approval from the Ontario Municipal Board to the funding for the construction of a Civic Arena facility on the Arena lands and to the funding for the construction of improvements to and extension of the related access Highway on which date the owner will convey the said Arena, Highway and Reserve Lands to the City.

It is understood and agreed by both parties that the following conditions, restrictions and clarifications form a part of this agreement:

1. That the City of Hamilton is accepting title to the Arena lands (shown as Parts 21 and 22 on the draft Plan) from Chedoke Health Corporation for a six (6) acre parcel, more or less, for the sum of \$1.00 to be used as a site to house a Civic Arena(s) / Recreational facilities.

2. (a) That the City of Hamilton is accepting title from Chedoke Health Corporation for the sum \$1.00;
- to the lands shown as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15 and 16 on the draft Plan (the "Highway Lands") to be incorporated by
 - law into the public highway system, of which the present private Chedmac Drive forms a part, and
 - to the lands shown as Parts 17, 18, 19 and 20 for a one foot reserve.
- (b) Chedoke agrees to use its best efforts to cause Mohawk Hospital Services Incorporated (hereinafter referred to as "Mohawk") to release the lands shown as Parts 6, 7, 8, 9 and 10 on the draft Plan from its registered right-of-way and to convey Parts 11, 12 and 13 on the draft Plan to the City upon the closing of this transaction.
- The said release of the right-of-way shall only be registered by the City at the same time or after the City has incorporated Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 into the public highway.
- (c) If Mohawk will not comply with paragraph (b) above on or before the said closing date Chedoke will convey a new arrangement of lands for the Highway, Arena and Reserve lands in accordance with the draft Plan thereof attached hereto as Schedule "D and this Agreement, all its Schedules and all its references to the draft Plan and the Parts thereof shall be read as referring to Schedule "D".
- (d) The City covenants and agrees to incorporate by-law, the Highway Lands and Parts 11, 12 and 13 (with the exception of the said one foot reserves) into the public highway system immediately upon delivery and registration of the deeds therefor to the City.

- (e) That if in the opinion of the City improvements are required to improve the existing Chedmac Drive (Parts 6, 7 and 8 on the draft Plan) for purposes of vehicular access to the proposed arena site, the City will be responsible for those costs (if any).
- (f)
 - (i) For vehicular access to and from the proposed arena, the City is responsible for the cost of building an extension to the existing Chedmac Drive through the Highway Lands and agrees (subject to Section 2(g) below) that no cost of the immediate work or subsequent work in constructing such extension shall be charged to the land owners abutting Parts 1 to 13.
 - (ii) Chedoke acknowledges that the City may recover from Chedoke, its successors and assigns, the costs (for one-half the width of the extension) of construction of that portion of the extension of Chedmac Drive from the westerly limits of Parts 9, 10 and 13 to the westerly limit of Part 16. Such cost may be collected by means of a one foot reserve along the limits of this portion of the extension in accordance with current City practices at the time of the development of the abutting lands.
- (g) The owners of the lands abutting the extension of Chedmac Drive, namely Chedoke or its successors and assigns will be responsible for the payment of normal charges when and if the City requires Chedmac Drive and the extension thereof and/or its intersection with Rice Avenue and/or any associated intersections to be upgraded as a result of the remaining lands of Chedoke or its successors and assigns, being developed for residential purposes;
- (h) It is understood and the City covenants for itself, its successors and assigns with Chedoke, its successors and assigns that the "normal charges" previously referred to will be those of general application only and shall not include the costs (if any) incurred by the City (referred to in paragraphs 2(e) and (f) in extending Chedmac Drive to the arena site or in improving Chedmac Drive for access to the arena site.

- (i) The aforementioned charges will be based upon existing City policies at the time of the development and may be collected through the lifting of the said one-foot reserves.
- (j) Chedoke's deed to the City of the Highway lands may be subject to an underground easement for Chedoke's existing steam, hydro and other utility lines. The location of such easement within the Highway Lands is shown as Parts 4, 7 and 12 on the draft Plan. Such easement shall permit Chedoke at its expense to maintain, repair, replace and augment (subject to the approval of the City not to be unreasonably withheld) such services and shall include an indemnification of the City by Chedoke. Chedoke's expense shall include the costs to relocate any other utility affected by Chedoke's exercising any of its easement rights. Such easement shall be a non-exclusive easement to be enjoyed by Chedoke in common with such other easements which may be subsequently located within the proposed highway by operation of law or as a result of grants of easements by the City. The City shall ensure that such subsequent utility easements shall be installed in a manner and location which is least likely to interfere with Chedoke's rights under its easement. Chedoke agrees to release and discharge the easement(s) in the event that they cease to be required. Such easement in favour of Chedoke shall be entered into by the parties and registered by Chedoke at the closing of this transaction.
- (k) The City acknowledges that Chedoke is deeding for \$1.00 to the City, the Arena, the Highway and the Reserve Lands for the benefit of the City and for the benefit of the remaining lands of Chedoke, its successors and assigns on the understanding that after the closing of this transaction:
 - (a) the Highway lands will immediately be made part of the municipal highway system (subject to the one foot reserves referred to in paragraph [(f)(ii)]);

- (b) the City, will if necessary permit preliminary subdivision work and servicing by subdividers (which have received the required approvals) on the adjacent vacant lands now owned by Chedoke (and which may subsequently be owned by subdividers), to proceed concurrently with the construction of the said road extension as early as April 15, 1993 (subject to the City having acquired title to the Highway lands by that date and subject to the payment of Chedoke's and/or the subsequent owner's share of the construction costs for the extension of Chedmac Drive west of the westerly limits of Parts 9, 10 and 13 which may be collected pursuant to the City's one foot reserves).
- (c) The City covenants and agrees that the construction of the extension to Chedmac Drive beyond Parts 6, 7 and 8 and through the Highway Lands will take place no later than the earlier of:
 - (i) the opening of the Arena, whenever it is built or
 - (ii) in time for and/or in conjunction with the construction of approved development on the abutting lands (owned by Chedoke or its successors) providing such extension need not be commenced sooner than April 15, 1993 or the date the City acquires title thereto, (whichever is later) as referred to in paragraph (b) above,

The City acknowledges that Chedoke having deeded the Highway Lands to the City for \$1.00 is relying upon the City to take all necessary steps to carry out, proceed with and expeditiously complete the construction of the said road extension within the said time frame in order that the development of the adjacent lands of Chedoke, its successors and assigns will not be delayed.

3. (a) Chedoke hereby agrees to grant the City an easement for \$1.00 for the right to discharge its storm water from the Highway/Reserve Lands and Parts 21 and 22 on the draft Plan onto the Chedoke remaining lands described as all of Parts 1 and 2 Plan 62R-5361, (save and except the described lands to be conveyed to the City herein) until such time as Municipal storm sewers are available to the Highway Lands and Parts 21 and 22 on the draft Plan. The City covenants and agrees not to discharge the storm water in such a fashion as to interfere with the usage of Chedoke's lands by Chedoke or its occupants.

Chedoke agrees to execute the said grant of easement such that the City shall register the easement at the closing of the City's purchase of the arena and highway lands.
 - (b) The City shall, at its expense, construct the Arena site and the said extension of Chedmac Drive as well as the arena(s) /recreational facilities so as to facilitate an immediate connection to the municipal storm sewers once they are available.

Once municipal storm sewers are available the City shall forthwith at its expense connect the arena site, the extension of Chedmac Drive and the arena(s) / recreation facilities to the storm sewers and shall immediately thereafter at its expense, register a full release and quit claim of the easement on the title of Chedoke's lands.
4. Chedoke agrees that after the acceptance of this Option to Purchase by the City, that the City may at its sole risk and expense, from time to time, at any time prior to closing, enter the Highway/Reserve Lands and Parts 21, 22, and 23 on the draft Plan with its employees, agents, contractors and engineers for the purpose of conducting soil tests. Chedoke shall not be responsible for any loss, damage or injury which may result to the City, its employees, agents, contractors or engineers as a result of their entry upon the lands to conduct the soil tests.

5. (a) Provided always that the City has exercised its Option and acquired the Arena lands (Parts 21 and 22) and has accepted title to and incorporated the Highway Lands into the public highway in accordance with the foregoing provisions of this Schedule "A", the City may exercise the Aquatic Option to purchase (submitted to the City together with the herein Arena Option) four (4) acres, more or less, of vacant land (the "aquatic site") located adjacent to the aforementioned arena site, which aquatic site is shown as Part 23 on the draft Plan.
- (b) Said Aquatic Option shall include the following terms and provisions:
 - (i) The Aquatic Option will be open for acceptance by the City until December 20, 1993.
 - (ii) The Aquatic Option shall be in a form attached hereto as Schedule "C".
 - (iii) The Aquatic Option shall be executed by Chedoke and submitted to the City with the herein Arena Option.
 - (iv) The Option shall have a closing date which shall be 60 days after the later of:
 - (a) review and approval of the final plans for the Aquatic Centre by the City and Chedoke, and
 - (b) the execution of a written agreement among the City, Chedoke and Chedoke-McMaster Hospitals Inc. on terms satisfactory to the parties thereto providing for shared use of the Aquatic Centre.

and if the foregoing are not fulfilled by December 20, 1995 then the Agreement of Purchase and Sale arising out of the City's acceptance of the Aquatic Option shall be at an end, null and void.

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- (v) The four (4) acre site will be used for an Aquatic facility which shall be designed in such a manner as to be suitable for hospital and therapeutic purposes as well as for general public purposes.
- 6. It is understood and agreed that the provisions of this Schedule "A" shall not be merged upon the closing of the purchase of the lands by the City provided for herein and in the attached Option, but that these Schedule "A" provisions shall continue.

RESPECTFULLY SUBMITTED,

Lynn Dale,
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

1990 November 06

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTIETH** Report for 1990 and respectfully recommends:

1. That the Regional Municipality of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Battleridge" Subdivision (Regional File No. 25T-76024) located south of Centennial Parkway, east of Greenhill Avenue in the Gershome Neighbourhood.

2. That approval be given to Proposed Plan of Condominium Application 25CDM-90009, Wentwood Place Properties Inc., owner, to establish a draft plan of condominium located at the north side of Stone Church Road East, west of Upper Wentworth Street, subject to the following:

That this approval apply to the plan prepared by J. D. Barnes Limited, dated 1990 June 19, showing 67 townhouse units.

3. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 41 Rymal Road West
 - (b) 1102 Upper James Street
 - (c) 252 Victoria Avenue North
 - (d) 256 Victoria Avenue North

4. That the City Solicitor be authorized and directed to amend By-law 83-253, to increase the allowed expenditure from \$1,000. to \$5,000. for the Chief Property Standards Officer to effect clean up and/or repair to any Order that is confirmed or modified as final and binding pursuant to Section 31(19) of The Planning Act.

5. (a) That the City, in its capacity as Landlord, grant conditional approval to First Phase Civic Square Limited to expand the office space of Stelco Tower at the Plaza Level, the expansion contemplating the creation of 6,550 square feet of building on the Plaza Level adjacent to space formerly occupied by the Chamber of Commerce Dining Room, subject to First Phase:
- (i) Complying with the requirements of the Ground Lease including additional ground lease payment, if any;
 - (ii) Complying with all Federal, Provincial, Regional and Municipal laws, by laws, requirements and regulations;
 - (iii) Providing the detailed plans and drawings for approval in accordance with the Ground Lease; and,
 - (iv) Executing any amendments to the Ground Lease, if formal amendments prove necessary.
- (b) That the Lessee, First Phase Civic Square Limited be informed that this approval is preliminary only and is subject to the required plans, drawings and other documentation required by the Ground Lease and Development Agreement being received and approved by Council or the Co-Ordinator of the Lloyd D. Jackson Square as the Review Authority as the case may be, prior to final approval being given and prior to the commencement of any physical alteration to the leased premises and that the Lessee should act accordingly.
- (c) That the City agree to reducing the publicly usable open space at the Plaza Level by the area of the proposed office space expansion.
6. That approval be given to Zoning Application 90-65, K. Dudzinski, owner for a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations to permit the addition of a bachelor apartment unit to the existing legal non-conforming 11 unit apartment building for property located at 1 Prospect Street South, as shown on the attached map marked as Appendix "A", on the following basis:
- (a) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

- (i) Notwithstanding Section 10B of By-law No. 6593 a multiple dwelling containing not more than 12 dwelling units, and having a maximum gross floor area of 880 m², shall be permitted within the existing building;
- (ii) Notwithstanding Section 18A a minimum of two parking spaces shall be provided and maintained on-site.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1204, and that the subject lands on Zoning District Map E-33 be notated S-1204;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-33 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (e) That a Building Permit not be issued until such time as the Director of the Traffic Department is satisfied that two parking spaces can be accommodated on site.

NOTE: The purpose of the By-law is to provide for a modification to the established "DE-2" (Multiple Dwellings) District zoning regulations for property located at 1 Prospect Street South.

The effect of the By-law is to permit the addition of a bachelor apartment unit to the existing 11 unit apartment building for a total of 12 dwelling units. In addition, it allows for a maximum gross floor area of 880 m² within the existing building.

In addition, a minimum of two parking spaces shall be provided and maintained on-site.

7. That approval be given to Zoning Application 90-66, 763225 Ontario Inc. (S. Hodgskiss), owner, requesting a modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District, to permit the conversion of the existing building for a water treatment sales office, for property located at 158 Mary Street, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 10(1), the following additional uses shall be permitted only within the building existing at the date of the passing of the by-law:
 - (1.) Commercial Use
A water treatment sales office
 - (2.) Accessory Use
One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m² non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1205, and that the subject lands on Zoning District Map E-4 be notated S-1205;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for a modification to the "D" (Urban Protected Residential -One and Two-Family Dwellings, Townhouses, etc.) District, for property located at 158 Mary Street.

The effect of the by-law is to permit:

- (a) The conversion of the existing building for a water treatment sales office; and,
- (b) One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m² non-illuminated or illuminated by non-flashing indirect or interior means only, located at least 1.5 m from the nearest street line in connection with the commercial use.

8. That approval be given to amended Zoning Application 90-68, Frederick and Gwynette Seymour, owners, for a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit a three (3) storey, 35 bed residential care facility for senior citizens, for property located at 186 and 188 Queen Street North, as shown on the attached map marked as Appendix "C", on the following basis:
- (a) That the subject lands be rezoned from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;
 - (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 11.(1)(iiib) of Zoning By-law No. 6593 a residential care facility for the accommodation of not more than 35 elderly residents of at least 60 years of age shall be permitted;
 - (ii) That notwithstanding Section 11.(2) of By-law No. 6593 a maximum building height of three storeys shall be permitted;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1206, and that the subject lands on Zoning District Map W-3 be notated S-1206;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council;
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (f) That the Central Neighbourhood Plan be amended by redesignating the subject lands from "Industrial" to "Medium Density Apartments."

NOTE: The purpose of the By-law is to provide for a change in zoning from "JJ" (Restricted Light Industrial) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at 186 and 188 Queen Street North.

The effect of the By-law is to permit a residential care facility for the accommodation of not more than 35 elderly residents of at least 60 years of age.

In addition, the By-law limits the maximum building height to three storeys.

9. (a) That approval be given to Subdivision Application 25T-89029, Falconstone Development Corporation, owner, to establish a draft plan of subdivision north of Stone Church Road and west of Upper Wentworth Street, subject to the following conditions:
- (i) That this approval apply to the Plan prepared by Falcone Smith Associates Inc., dated 1989 August 23, showing 40 lots, 14 blocks (Block "41" to "54" inclusive) for development with adjacent lands, three blocks (Block "55" to "57" inclusive) as 0.3 metre reserve and two Blocks "58" and "59" as road widenings.
 - (ii) That the streets and the street widening be dedicated to the City of Hamilton as public highway on the final plan.
 - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (v) That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes.
 - (vi) That such easements as are required for utility and drainage purposes be granted to the appropriate authority.
 - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 - (viii) That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Blocks "55" to "57" inclusive) to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands.
 - (ix) That Blocks "41" to "54" inclusive be developed only in conjunction with abutting lands.
 - (x) That lots 1-18 not be registered until the construction of services on Crerar Drive to the north of this development has been approved.

- (xi) That the road allowance along the front of lots 19 and 20 and along the flankage of lot 18 be established to the full width of the road allowance in the Final Plan.
 - (xii) That the road allowance along the flankage of lots 6 and 14 be established to show the full intersection at Crerar Drive and the east west local road in the Final Plan.
 - (xiii) That a minimum centreline radius of 110.0 metres be established along the centreline of Crerar Drive.
 - (xiv) That the owner dedicate sufficient lands to the Region, to establish the property line at 18.29m (60 feet) from the centreline of the original Upper Wentworth Street road allowance, and these lands be shown as a separate block.
 - (xv) That the owner dedicate sufficient lands to the Region, to establish the property line at 15.24M (50 feet) from the centreline of the original Stone Church Road allowance, and these lands be shown as a separate block.
 - (xvi) That the cul-de-sac road allowance width must be increased to 20.0 metres.
 - (xvii) That prior to the final plan, sewers and watermain have been extended to service this development.
 - (xviii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (xix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-89029, Falconstone Development Corporation), owner, proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the Crerar Neighbourhood plan be changed accordingly.

10. That approval be given to Zoning Application 89-89, Falconstone Development Corporation, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District to subdivide the subject land into building lots for single-family detached dwellings, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East, as shown on the attached map marked as Appendix "D" on the following basis.
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law NO. 6593 and Zoning District Map E-18C for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the west side of Upper Wentworth Street and north of Stone Church Road East.

The effect of the By-law is to subdivide the subject land into building lots for single-family detached dwellings.

11. That approval be given to amended Zoning Application 89-123, Fenwood Developments Ltd., owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", to permit development of the subject lands as a twin tower condominium apartment building with 9,000 square feet of commercial floor space, for property located at 690 Main Street West, as shown on the attached map marked as Appendix "E", on the following basis:
- (a) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District;
 - (b) That Block "2" be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District;

- (c) That Block "3" be rezoned from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District;
- (d) That Block "4" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District;
- (e) That the "CR-2" (Commercial-Residential) District regulations, as contained in Section 15B of Zoning By-law No. 6593, applicable to Blocks "1", "2", "3", and "4", be modified to include the following variance as a special provision:

That notwithstanding Section 18(4)(iv), one accessory structure shall be permitted in the required front yard and west side yard;

- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1207, and the subject lands on Zoning District Map W-73 be notated S-1207;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-73 for presentation to City Council; and,
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (i) That the amending By-law not be forwarded for passage by City Council until such time as the applicant has applied for and received approval of site plans, which include the implementation of a Shadow Casting Analysis to the satisfaction of the Director of Local Planning.

NOTE: The purpose of the By-law is to establish changes in zoning from "C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District for Block "1", from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District for Block "2", from "G-3" (Public Parking Lots) District to "CR-2" (Commercial-Residential) District for Block "3", and from "H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District for Block "4", for property located at 690 Main Street West.

The effect of the By-law is to permit development of the subject lands for a twin tower condominium apartment building (maximum 18 storeys in height) joined by a one-storey building consisting of 9,000 square feet of commercial floor space. In addition, the By-law provides a variance to permit a tennis court in the required front and west side yards.

12. That approval be given to a further amended Zoning Application 90-21, Patran Limited Holdings, owner, for a change in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and a modification to the "J" (Light and Limited Heavy Industry, etc.) District (Block "2"), to permit the development of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to eliminate industrial uses on Block "2", for the properties located at 125 Napier Street and 55 Queen Street North, shown as Blocks "1" and "2" on the attached map marked as Appendix "F", on the following basis:
- (a) That Block "1" be rezoned from "J" (Light and Limited Heavy Industry, etc.) District to "E-3" (High Density Multiple Dwellings) District;
 - (b) That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 11C(1a), no building or structure or portion thereof shall exceed:
 - (1.) Three storeys in height within area "A" on Appendix "G";
 - (2.) Six storeys in height within area "B" on Appendix "G"; and,
 - (3.) Fifteen storeys in height within area "C" on Appendix "G".
 - (ii) That a minimum 3.0 m wide landscaped strip and a visual barrier not less than 1.2 m and not greater than 2.0 m in height shall be provided and maintained along the westerly lot line.
 - (iii) That in addition to the requirements of Section 18A(1), an additional 15 parking spaces shall be provided and maintained on the lot.
 - (c) That the "J" (Light and Limited Heavy Industry, etc.) District regulations, as contained in Section 16 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variance as a special requirement:

That notwithstanding Section 16.(1), no industrial uses shall be permitted.

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1208, and that the subject lands on Zoning District Map W-12 be notated S-1208;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-12 for presentation to City Council;
- (f) That the Strathcona Neighbourhood Plan be amended by redesignating Block "1" from "Medium Density Apartments" to "High Density Apartments".

NOTE: The purpose of this By-law is to provide for changes in zoning from "J" (Light and Limited Heavy Industrial) District to "E-3" (High Density Multiple Dwellings) District modified (Block "1") and a modification to the "J" (Light and Limited Heavy Industry, etc.) District (Block "2"), for the properties located at 125 Napier Street and 55 Queen Street North.

The effect of this By-law is to permit the redevelopment of the subject lands for two, three storey; one six storey; and one fifteen storey multiple dwellings (Block "1"), and to eliminate industrial uses for the lands on Block "2".

In addition, the by-law requires that:

- (a) A minimum 3.0 m wide landscaped strip and 1.2 m to 2.0 m high visual barrier be provided and maintained along the westerly lot line of Block "1"; and,
- (b) An additional fifteen parking spaces be provided and maintained for the multiple dwelling development on Block "1".

13. That leave be granted to introduce the following Bills:

- (a) C-154 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 480 Rymal Road West.
- (b) C-155 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 694 and 696 Upper James Street.
- (c) C-156 A By-law to establish Site Plan Control respecting lands located at Municipal Nos. 694 and 696 Upper James Street.
- (d) C-157 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 710 Upper James Street.

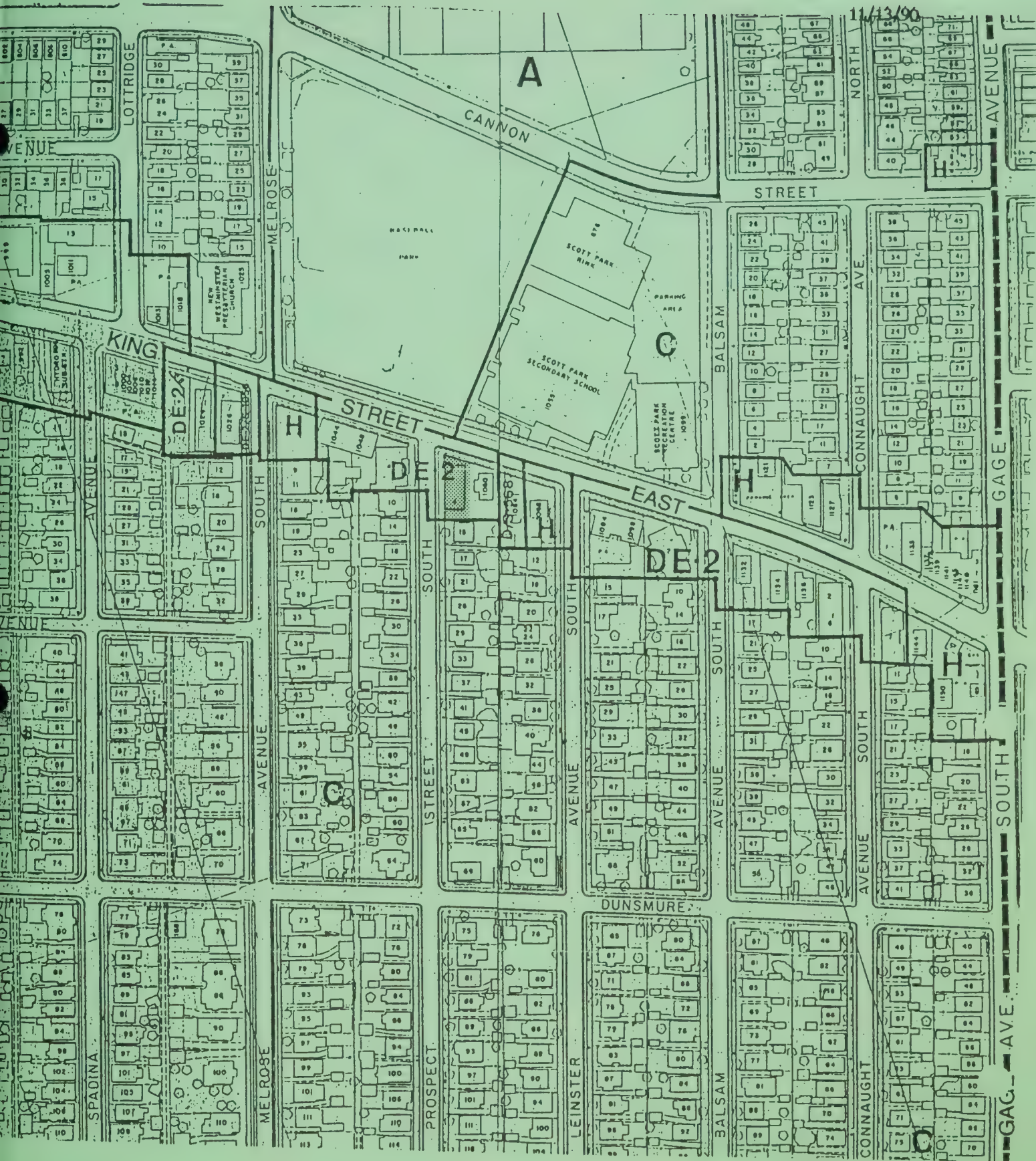
11\13\90

- (e) C-158 A By-law to establish Site Plan Control respecting land located at Municipal No. 710 Upper James Street.
- (f) C-159 A By-law to adopt Official Plan Amendment No. 95 respecting land located at Municipal No. 1280 Rymal Road East within the Hannon West Neighbourhood.
- (g) C-160 A By-law to amend Zoning By-law No. 6593 respecting land located on the east side of Pritchard Road, in the area south of Highland Road.

Respectfully submitted,

**ALDERMAN F. LOMBARDO, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder
Secretary
1990 November 7**

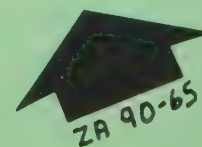


Legend



Site of the Application

Appendix "A" as referred to in
Section 6 of the TWENTIETH
Report for 1990 of the
Planning & Development Committee





Legend

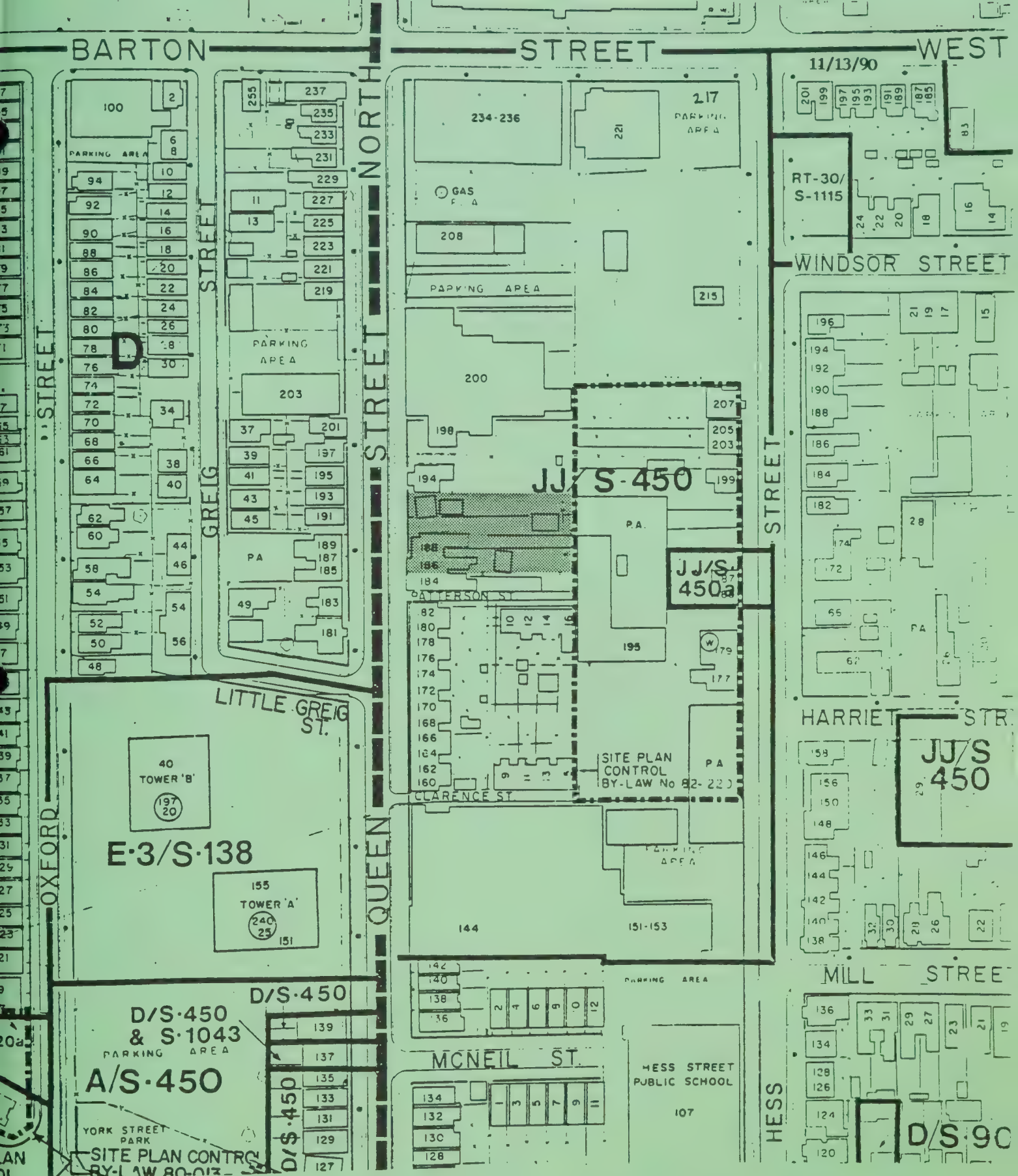


Site of the Application

Appendix "B" as referred to in
Section 7 of the TWENTIETH
Report for 1990 of the Planning
& Development Committee.



APPENDIX A



Legend



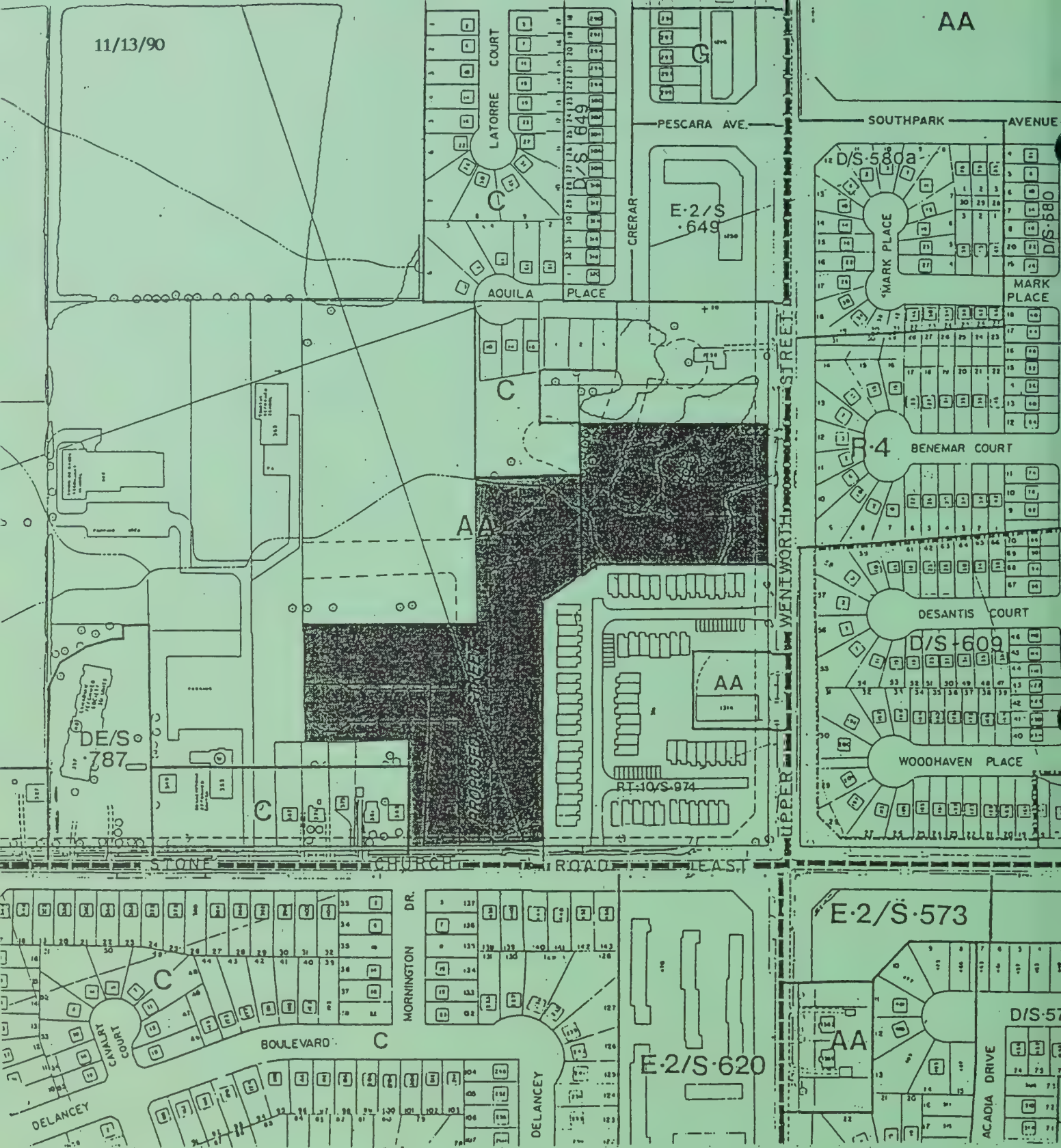
Site of the Application

Appendix "C" as referred to in
Section 8 of the TWENTIETH
Report for 1990 of the Planning
& Development Committee.



11/13/90

AA



Appendix 'D' as referred to in
Section 10 of the TWENTIETH
Report for 1990 of the Planning
& Development Committee.

Legend



Site of the Application





Legend

Proposed change in zoning from:

BLOCK 1



"C" (Urban Protected Residential, etc.) District to "CR-2" (Commercial-Residential) District.

BLOCK 2



"E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "CR-2" (Commercial-Residential) District.

BLOCK 3



"G-3" (Public Parking Lots) Districts to "CR-2" (Commercial-Residential) District.

BLOCK 4

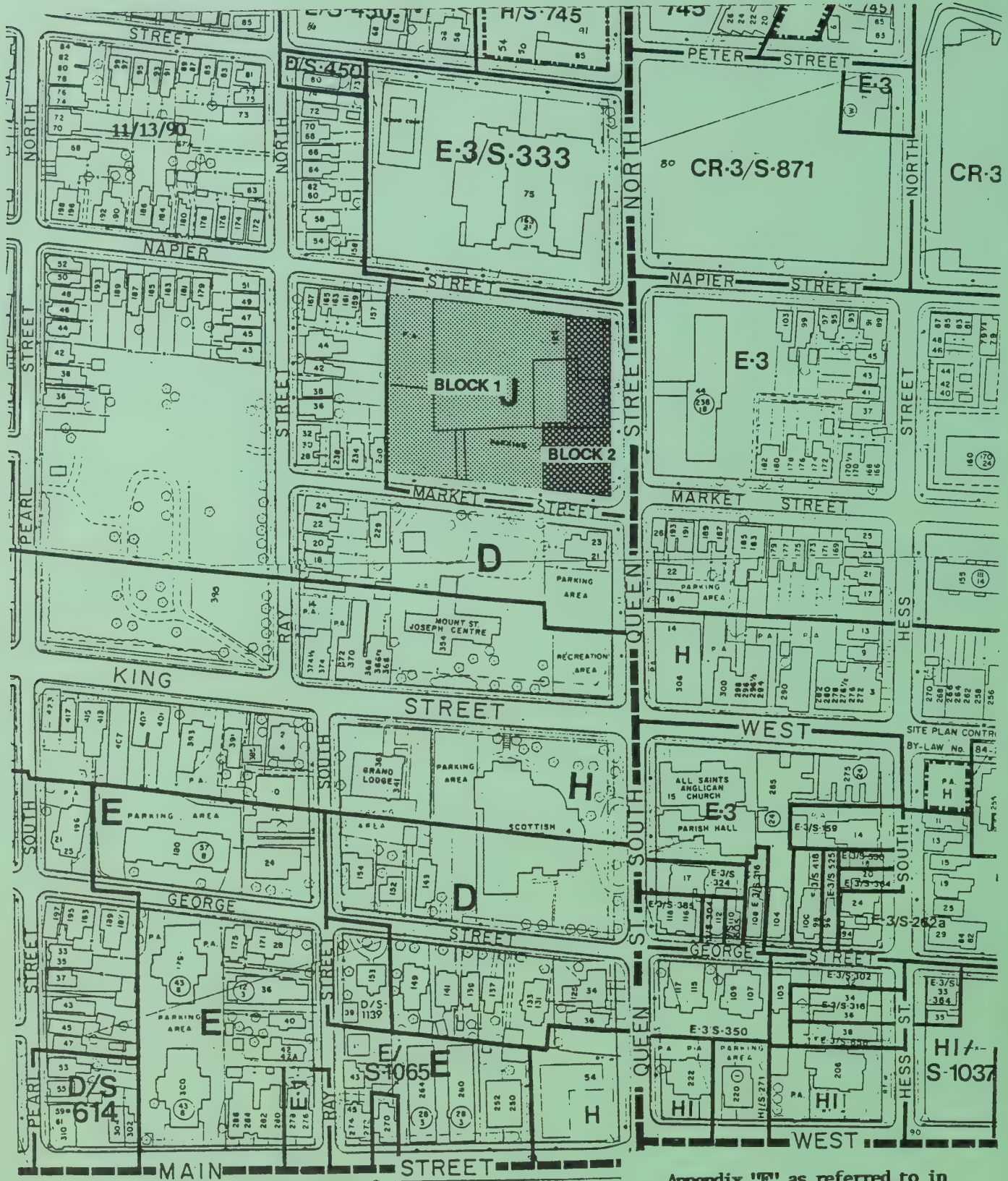


"H" (Community Shopping and Commercial, etc.) District to "CR-2" (Commercial-Residential) District.



Appendix "E" as referred to in
Section 11 of the TWENTIETH
Report for 1990 of the
Planning & Development Committee.



ZA89-123

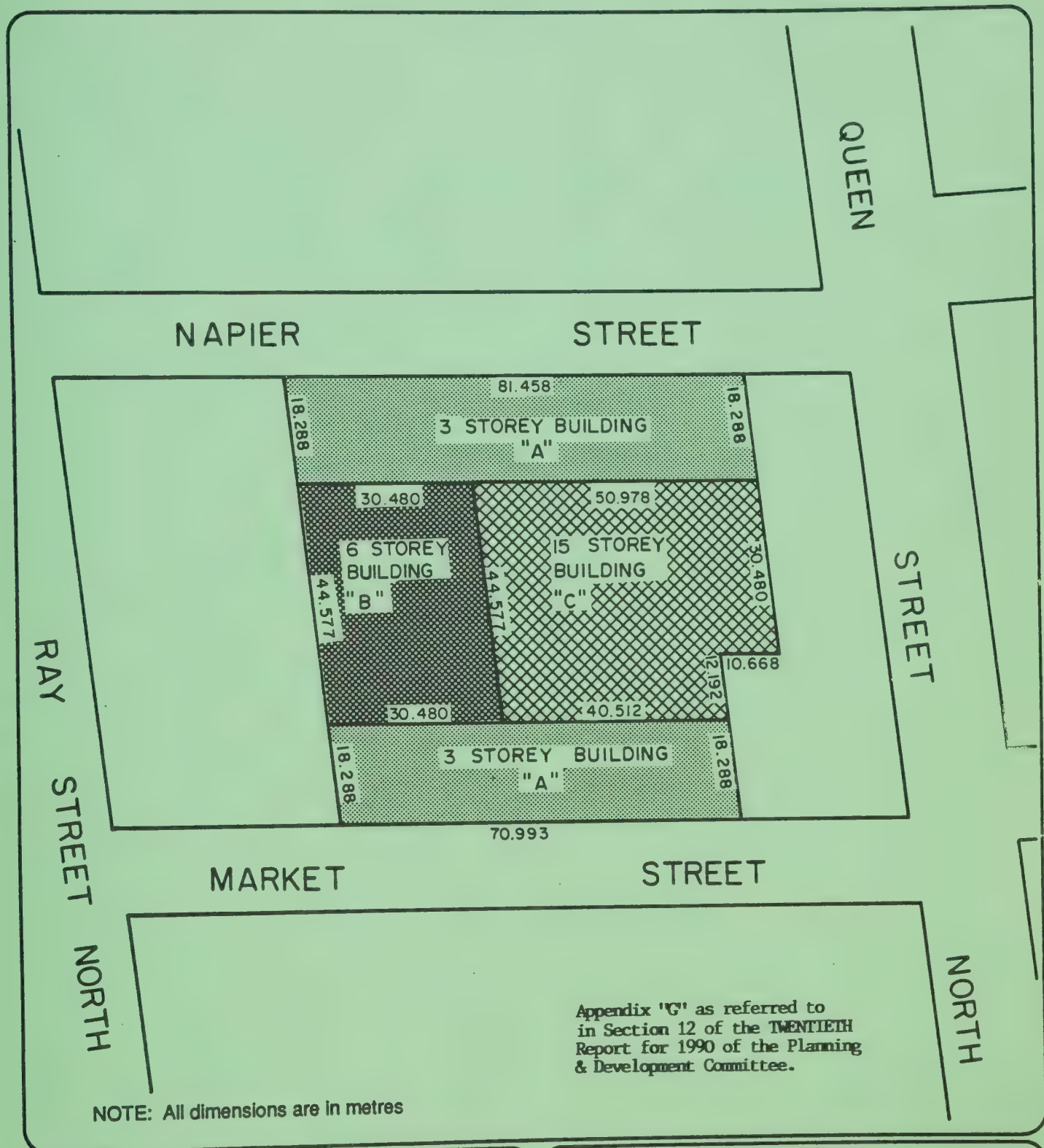


LEGEND

- BLOCK 1**  CHANGE IN ZONING FROM "J" (LIGHT AND LIMITED HEAVY INDUSTRY, ETC.) DISTRICT TO "E-3" (HIGH DENSITY MULTIPLE DWELLINGS) DISTRICT, MODIFIED.
- BLOCK 2**  MODIFICATION TO THE "J" (LIGHT AND LIMITED HEAVY INDUSTRY, ETC.) DISTRICT.

Appendix "F" as referred to in
Section 12 of the TWENTIETH
Report for 1990 of the Planning &
Development Committee.


ZA 90-21



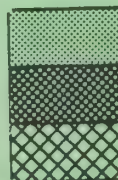
Appendix "G" as referred to
in Section 12 of the TWENTIETH
Report for 1990 of the Planning
& Development Committee.

City of Hamilton

APPENDIX B

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Envelope "A"

Envelope "B"

Envelope "C"

North



Scale
NOT TO SCALE

Date
OCTOBER, 1990

Reference File No.
ZA-90-21

Drawn By
T.A.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **SEVENTH** Report for 1990 and respectfully recommends:

1. That the Cab Driver Licence of Robert Vacola, 79 James Street South, Room 404, Hamilton be suspended for a four-week period.

NOTE: For the information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1990 October 24 held a Show Cause Hearing and recommended that the foregoing Cab Driver Licence be suspended for a four-week period on the grounds that the Licence holder committed driving infractions while on probation.

Further information can be obtained from the Secretary.

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE
CHAIRMAN
LICENSING COMMITTEE**

**Stella Glover
Secretary**

1990 October 24

11/13/90

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-FIFTH** Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Eastgate Ford Sales, Hamilton, in the amount of \$329 459.40, being the lowest acceptable of six (6) tenders received, for the replacement of two (2) and purchase of one (1) Truck Chassis with Street Flushers for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Reserve for Replacement of Mobile Equipment Account No. CH 5X503 00101 (\$219 639.60) and New Equipment Street Flusher Account No. CF 5500 608851001 (\$109 819.80).

NOTE: If the units can be ordered immediately for delivery in 1990, a savings of \$9 376.50 will be realized as the GST will not have to be paid. Therefore the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

2. That a purchase order be issued to Ontario Restoration Limited, Brantford, in the amount of \$12 500, being the lowest of four (4) quotations received, to provide Masonry Restoration at Whitehern, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from Special Repairs Account No. CH 57351 31150.
3. That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, being the lowest of seven (7) tenders received, for the supply and delivery of Workmen's Uniform Clothing as and when required, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender as follows, and that this expenditure be financed from Stores Operating Supplies Account No. CH 56103 28999:

11/13/90

Trousers	\$12.25 each
Short Sleeve Shirts	10.25 "
Long Sleeve Shirts	11.50 "
Overall Jackets	17.00 "
Overall Pants	24.95 "
Crested Coveralls	23.75 "

All applicable taxes extra

4. That a purchase order be issued to G.C.Duke Equipment Ltd., Burlington, in the amount of \$226 853.20, being the lowest acceptable of four (4) tenders received, to replace two Street Sweepers, Units #9558 and 9562 for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Reserve for Replacement of Mobile Equipment Account No. CH 5X503 00101.

NOTE: As delivery is approximately thirty days and there will be a savings of \$8 225 if delivery is in 1990, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

5. That the request of the Croatian National Home to fly the Croatian National Flag at City Hall from 1990 November 11-17 during Croatian National Home week be granted.
6. That permission be granted to the Committee on Communications and History of the Presbytery of Hamilton, the Presbyterian Church in Canada, to use the Council Chamber and adjoining area from 10:00 a.m. till 12:00 noon on Saturday, 1990 December 08 for the launching of a new book containing a history of the Presbytery of Hamilton.
7. That permission be granted to the Hamilton Society of Architects to use an area on the second floor of City Hall from 1990 November 26 to December 07 to display submissions for Leather Metal Awards.

8. That permission be granted to the Jewish Community Centre, Hamilton-Wentworth and Area, to place their Chanukah Menorah on the balcony outside the Council Chamber from 1990 December 10 to 19, and to use the Council Chamber on Thursday, 1990 December 13 from 3:45 p.m. to 5:00 p.m. for the Chanukah Celebrations.
9. That a civic gold pin and civic gold ring be awarded to Lenore MacDonald for winning the 1990 Masters Ladies Figures Division Provincial Championship and the 1990 Masters Figures Division National Championship for Roller Skating respectively.
10. That civic gold pins be awarded to Mark Hebert and Gordon McLean for winning the Ontario Provincial Junior Ten Pin Bowling Tournament in the Class (A) and Class (D) Divisions respectively.
11. That a civic gold ring be awarded to Jim Lamb for winning the 1990 Canadian Junior Men's Body Building Championships.
12. That the request of the Director of Public Relations, Hamilton Civic Hospitals, for permission to use the City of Hamilton Coat of Arms on a logo designed by nurses at the Hamilton Civic Hospitals, be approved.
13. That, as referred to in Section 5 of the Fifteenth Report of the Transport and Environment Committee, the increased City's share of \$17 053.74 related to the agreement with Wellington Chase Inc. for lands on the east side of Upper Wellington Street, as originally approved by City Council on 1988 December 13, be funded from the "Reserve for Services Through Unsubdivided Lands", Centre #00107.
14. That the contract settlement of the Ontario Painting Contractors Association and the International Brotherhood of Painters and Allied Trades, Local 205, be received pursuant to the Fair Wage Policy of the City of Hamilton.
15. That the contract settlement of the Mechanical Contractors Association of Hamilton and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, Local Union 67, be received pursuant to the Fair Wage Policy of the City of Hamilton.

11/13/90

16. That the Appointments To and Terminations from Permanent positions with the Corporation to October 29, 1990, attached hereto and marked Appendix "A", be approved.
17. That approval be given to cancel the following regularly scheduled meetings in the latter part of December 1990 and in early January 1991 due to the Christmas and New Year Holiday season:
 - 1) Transport & Environment Committee - Monday 1990 December 31
 - 2) Planning & Development Committee - Wednesday, 1991 January 2
 - 3) Finance and Administration Committee - Thursday, 1991 January 3
 - 4) City Council - Tuesday, 1991 January 8
18. That the form of Agreement to be entered into between the Regional Municipality of Hamilton-Wentworth, the Corporation of the City of Hamilton, and Ridesic, Preisman and Robinson Consultants Incorporated for the Asbestos Control Program reflect the following:
 - i) the waiver of the City's standard indemnification requirement;
 - ii) the waiver of the City's standard requirement for Professional Liability Insurance;
 - iii) the requirement that the Consultant provide the City and the Region jointly with an irrevocable Letter of Credit in an amount of not less than \$10 000 in a form satisfactory to the City Solicitor and the Acting Commissioner of Legal Services.
19. (a) That Cable 14 TV Hamilton be granted approval to place a television camera and table within the pedestrian bridge across King Street West on 1990 November 17 between the hours of 7:00 a.m. and 1:00 p.m. in order for Cable 14 to transmit the Hamilton Santa Claus Parade live to the citizens of Hamilton.
- (b) That the Director of Property be granted the authority to approve of a similar use in future years.

20. (a) That the Hamilton Farmers' Market fees be increased by five per cent (5%), as per Appendix "B" attached hereto.
- (b) That the City Solicitor be directed to prepare a By-law to Amend By-law No. 81-180 "To Regulate the Hamilton Farmers' Market" to reflect this increase for submission to City Council.
21. That the City make an Offer to Settle in Ontario Court of Justice (General Division) Action 2353/86 in the following terms:
 - (a) That the Defendant, Jockey Club Tavern Limited, pay to the Plaintiff all B.I.A. levies owing up to the date of acceptance of the Offer without interest or penalty.
 - (b) That if the Defendant accepts the Offer within thirty days of its date, each party will bear its own costs.
 - (c) That if the Defendant accepts the Offer after thirty days from its date, the Defendant shall pay to the Plaintiff its party and party costs in an amount to be agreed or assessed.
 - (d) That the Offer remain open for acceptance until withdrawn or the commencement of trial whichever first occurs.
22. That the City Offer to Settle in Ontario Court of Justice (General Division) Action No. 5300/86 on the following terms:
 - (a) That the City of Hamilton shall pay to the Plaintiff, John Edwin Orr, \$3 000 on account of all damages.
 - (b) That the City of Hamilton shall pay to the Plaintiff, John Edwin Orr, prejudgment interest on the aforesaid amount in accordance with the Courts of Justice Act.
 - (c) That the City of Hamilton shall pay to John Edwin Orr his party/party costs in an amount to be agreed or assessed.
 - (d) This offer is open for acceptance until withdrawn or the commencement of trial whichever first occurs.

11/13/90

23. That the City of Hamilton increase its Offer to Settle in Ontario Court of Justice (General Division) Action No. 5157/88 from \$5 000 to \$5 250, inclusive of interest and costs, payable to the Plaintiffs, Deborah and Michael Staats.
24.
 - (a) That the Hydrant Charges for fire protection - water rates and sewer surcharge in the amount of \$1 136 320 and Hydrant surcharge in the amount of \$142 040 to a total of \$1 278 360 as provided in the 1990 Fire Department budget for payment to the Regional Municipality of Hamilton-Wentworth be discontinued commencing as of January 1, 1991.
 - (b) That the Regional Municipality of Hamilton-Wentworth be notified of the City's resolution in this respect.
25.
 - (a) That, as referred to in Section 1 of the Twentieth Report of the Parks and Recreation Committee, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the Senior Citizen's Centre at Sackville Hill Memorial Park at an estimated cost of \$3 500 000 by the issuance of debentures for a period not to exceed 20 years.
 - (b) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures in the amount of \$3 500 000 for a term not to exceed 20 years for the above project.
26.
 - (a) That, as referred to in Section 7 of the Twentieth Report of the Parks and Recreation Committee, the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the new West Mountain Twin Pad Arena including road improvement on Chedmac Drive at an estimated cost of \$9 668 000 by the issuance of debentures for a period not to exceed 20 years.
 - (b) That the Regional Municipality of Hamilton-Wentworth be requested to consent to the issuance of debentures in the amount of \$9 668 000 for a term not to exceed 20 years for the above project.
27. That the request of Mahabir Homes Limited for relief of payment of Development Charges for the property at 280 Limeridge Road East be denied.

NOTE: After hearing the evidence and submissions of the complainant, the Finance and Administration Committee at a hearing held 1990 November 08 confirmed the Development Charges for the above property.

11/13/90

28. That the following resolution, which has been referred to the City of Hamilton by the Regional Municipality of Hamilton-Wentworth for support, be endorsed.
- (a) That the Regional Municipality of Hamilton-Wentworth declare itself a G.S.T. - Tax Free Zone; and,
 - (b) That this resolution be circulated to Canadian Municipalities with populations over 50 000.
29. For the information of the Members of City Council, the Farmers' Market Sub-Committee, at their meeting of 1990 October 30, scheduled the Market Days during the 1990 Christmas season as follows:

Christmas Week

Monday, December 24, 1990
Thursday, December 27, 1990
Friday, December 28, 1990
Saturday, December 29, 1990

New Year's Week

Monday, December 31, 1990
Thursday, January 3, 1991
Friday, January 4, 1991
Saturday, January 5, 1991

30. That leave be granted to introduce the following Bills:
- Bill H-112 A By-law to Amend Various Licensing By-laws Respecting Fees
- Bill H-113 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1990 November 8

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Gene Abel	Parking Control Supervisor (N-2)	Traffic	Additional Staff - Council approved June 26, 1990	\$33,932.08 to \$40,013.48	\$35,391.72 per annum (2 of 5)	24/09/90
Mr. John Bowker	Meter Serviceman/woman I (A-4)	Traffic	Replacing Mr. T. Tozzi - returned to former position	\$24,597.56 to \$27,725.88	\$26,990.08 per annum (4 of 5)	04/09/90
Mr. Randy Bukowski	Probationary Fire Fighter (N-1)	Fire	Replacing Mr. E. Smith - retired	\$30,680.22	\$30,680.22 per annum (1 of 1)	15/10/90
Mr. Grant Buttenham	Probationary Fire Fighter (N-1A)	Fire	Replacing Mr. G. Colbourne - deceased	\$30,680.22	\$30,680.22 per annum (1 of 1)	15/10/90
Mr. James Crechiola	Traffic Serviceman/woman I (A-4)	Traffic	Replacing Mr. S. Doan - resigned	\$24,597.56 to \$27,725.88	\$25,529.52 per annum (2 of 5)	01/10/90
Mr. Paul Croonen	Probationary Fire Fighter (N-1)	Fire	Additional Staff - approved 1990 Budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	15/10/90
Mr. Ron Doucet	Inspector (A-12)	Building	Replacing Mr. H. MacMillan - retired	\$34,223.80 to \$40,150.24	\$35,778.08 per annum (2 of 5)	28/09/90
Mr. Jim Friend	Probationary Fire Fighter (N-1)	Fire	Replacing Mr. J. Williams - retired	\$33,040.08	\$33,040.08 per annum (1 of 1)	15/10/90

Prepared 29/10/90

Appendix "A" as referred to in Section 16 of the TWENTY-FIFTH Report of the Finance and Administration Committee for 1990.

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Joe Holmes	Foreman-woman III-Parks (13-C)	Public Works	Additional Staff - council approved 1990 Budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	15/10/90
Ms. Joan Keip	Typist Clerk II (E-2)	Public Works	Replacing Ms. R. Blanchard - promoted	\$19,756.36 to \$21,283.60	\$20,545.20 per annum (1 of 23)	15/10/90
Ms. Catherine McDougall	Typist Clerk II (E-2)	Culture & Recreation	Replacing Ms. L. Zajac - promoted	\$19,756.36 to \$21,283.60	\$19,756.36 per annum (1 of 3)	22/10/90
Ms. Annette McGaughey	Support Services Technician (A-9A)	Information Systems	Reorganization - council approved January 30, 1990	\$31,019.56 to \$36,986.04	\$31,019.56 per annum (1 of 5)	22/10/90
Mr. Robert Spearing	Probationary Fire Fighter (N-1)	Fire	Replacing Mr. R. Lewis - retired	\$30,680.22	\$30,680.22 per annum (1 of 1)	15/10/90
Mr. Ronald Summers	Probationary Fire Fighter (N-1)	Fire	Replacing Mr. W. Midwinter - retired	\$30,680.22	\$30,680.22 per annum (1 of 1)	15/10/90
Mr. Bill Thompson	Traffic Serviceman/ Woman I (A-4)	Traffic	Replacing Mr. J. Bowker - promoted	\$24,597.56 to \$27,725.88	\$25,519.52 per annum (2 of 5)	10/10/90
Mr. Michael Toth	Probationary Fire Fighter (N-1)	Fire	Replacing Mr. P. McLaughlin - retired	\$30,680.22	\$30,680.22 per annum (1 of 1)	15/10/90

Prepared 29/10

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Patrick Warner	Probationary Fire Fighter (N-1)	Fire	Additional Staff - approved 1990 budget	\$30,788.67	\$30,788.67 per annum (1 of 1)	10/06/90
Mr. John Whitwell	Typist Clerk II (E-2)	Treasury	Replacing Ms. Ann Orzel - promoted	\$19,756.36 to \$21,283.60	\$20,545.20 per annum (2 of 4)	18/10/90
Ms. Francis Wright	Probationary Fire Fighter (N-1)	Fire	Replacing Mr. D. Wesley - retired	\$30,680.22	\$30,680.22 per annum (1 of 1)	15/10/90
Ms. Loretta Zajac	Junior Cost Control Clerk (A-3)	Culture & Recreation	Replacing Ms. C. Franceschini - promoted	\$22,945.00 to \$26,065.52	\$22,945.00 per annum (1 of 4)	08/10/90

Prepared 29/10/90

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Ivan Carter	Assistant Manager (Property Mtc. Division)	Property	Deceased	1 years, 6 months	08/06/90
Ms. Francine Kell	Gardener 1	Public Works	Resigned	2 years, 3 months	28/09/90
Mr. Jim Elder	Operations & House Manager (Hamilton Place)	H.E.C.F.I.	Retired	13 years	31/10/90
Mr. Ed Kowalski	Director	Community Development	Retired	38 years	31/10/90
Mr. Howard MacMillan	Inspector	Building	Retired	15 years, 4 months	31/09/90
Ms. Linda Raika	Typist Clerk II	Treasury	Resigned	2 years, 11 month	21/09/90

Prepared 29/10/90

SCHEDULE 'B'
TO
BY-LAW NO. 87-324

SCHEDULE 'B'

(Section 7)

PART 1: PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers' and Dealers' Fees	
		Per Month	Per Day
1 to 8	(Refrigeration Units)	\$ 265.00	N/A
12 to 18	(Refrigeration Units)	265.00	N/A
22	(Refrigeration Units)	265.00	N/A
9,10,11	(Refrigeration Units)	221.00	N/A
19,29,21	(Refrigeration Units)	221.00	N/A
23 to 46	RAMP	154.00	24.00
47 TO 62A	North Wall - Main Floor	154.00	24.00
63 to 70	West Wall - Main Floor	154.00	24.00
71 to 95	South Wall - Main Floor & Under ramp	154.00	24.00
96 to 100	Loading Docks (from 7:30 a.m. to 4:00p.m.)	154.00	24.00
101 to 111	East Wall - Main Floor	154.00	24.00
112 to 143	Stands In Middle from East to West (North Side)	154.00	24.00
144 to 175	Stands in Middle from West to East (South Side)	154.00	24.00
30a, 35a, 37a, 46a		85.00	11.50
70a, 72a		65.00	11.50
92		217.00	24.00
176	Coffee Shop	308.00	N/A

SCHEDULE 1

TO

By-law No. 87-180

PART 2: DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No.'s</u>	<u>Dealers' Fees</u> <u>Per Annum</u>
1 to 76	\$ 89.00

PART 3: PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which an annual fee is paid in advance\$ 7.00 per day

PART 4: FRIDAY MARKET FEES

8 FT. Refrigeration Unit	\$17.00 per day
12 FT. Refrigeration Unit	\$21.00 per day
Regular Stands	\$12.00 per day
Each Additional Stand	\$ 7.00 per day
Coffee Shop	\$23.00 per day
Daily Users' Fees	\$21.00 per day

K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

CA40N HBL A05

URBAN/MUNICIPAL

A31 1990

URBAN MUNICIPAL

GOVERNMENT DOCUMENTS

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, November 27, 1990
7:30 o'clock p.m.
Council Chambers, City Hall

AGENDA

1. Opening Prayer

Reverend Aleksandar Mustenikov
Macedonian Orthodox Church
235 Kensington Avenue North

2. Presentation

City of Hamilton Re: Tim Horton's International Hockey Tournament

3. Proclamations

- | | | |
|-----|--------------------------------|----------------------------|
| (a) | "Commonwealth of Dominica Day" | November 16th, 1990 |
| (b) | "Human Rights Day" | December 10th, 1990 |
| (c) | "Human Rights Week" | December 10th - 16th, 1990 |

4. Minutes

November 13th, 1990 - regular meeting
November 19th, 1990 - special meeting
November 21st, 1990 - special meeting

5. Petitions and Correspondence

6. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (d) Information Systems Committee
- (h) Finance and Administration Committee

7. Notices of Motion for next meeting

8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment

MINUTES

MEETING OF HAMILTON CITY COUNCIL

Tuesday, November 13, 1990

7:30 o'clock p.m.

Council Chamber

The Council met.

PRESENT: Robert M. Morrow, Mayor
Aldermen M. Kiss, V. Agro, W. McCulloch, D. Drury,
G. Copps, D. Agostino, F. Lombardo, T. Jackson,
J. Gallagher, D. Ross, T. Murray

ABSENT: Alderman T. Cooke - vacation
Alderman B. Hinkley - vacation
Alderman H. Merling - vacation

His Worship Mayor Robert M. Morrow called the meeting to order.

* * * * *

The Reverend Bruce Gregersen, Melrose United Church led the Council in prayer.

* * * * *

The following presentations were made:

Retirement ring to former Alderman David Christopherson.

Retirement ring to former Alderman John Smith.

* * * * *

His Worship Mayor Robert M. Morrow read the following Proclamation:

"ZONTA INTERNATIONAL DAY", November 8, 1990.

* * * * *

The Minutes of the meeting of October 30th, 1990 were taken as read and approved.

* * * * *

The following communications were received:

1. Resolution from the City of Orillia respecting increase funding for shelters and mental health clinics.

**Referred to the Region's Health
and Social Services Committee.**

2. Application dated October 31, 1990 from Stephen Wood and John Kenneth Wood, 589 StoneChurch Road West, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family Townhouses, etc.) District for property at 585 Cannon Street East, Hamilton, Ontario.

Received.

3. Application dated November 6, 1990 from Tonino and Maria DiFranco, 204 Rymal Road West, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property at No. 204 Rymal Road West, Hamilton, Ontario.

Received.

4. Application dated November 7, 1990 from the Hamilton-Wentworth Roman Catholic Separate School Board, 90 Mulberry Street, Hamilton, Ontario for a change in zoning from "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District to "C" (Urban Protected Residential, etc.) District for property at 295 Green Cedar Drive, Hamilton, Ontario.

Received.

5. Application dated November 8, 1990 from 775751 Ontario Inc. - Fausto Carnicelli, 1418 Upper Sherman Avenue, Hamilton for a change in zoning from "C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for property at 1425 & 1429 Upper James Street, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the following Reports, with Alderman McCulloch in the chair.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps,
Agostino, Lombardo, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: 0 -

CARRIED.

* * * * *

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTHTEENTH REPORT.

* * * * *

PARKS AND RECREATION COMMITTEE - TWENTIETH REPORT

Section 1 - Re: Senior Citizen's Recreation Centre - Sackville Hill Memorial Park

It was moved by Alderman Murray and seconded by Alderman Jackson

RESOLVED: That Section 1 of the Twentieth Report of the Parks and Recreation Committee be amended by adding the word "Recreation" immediately before the word "Centre" in subsections (a) and (f).

CARRIED.

* * * * *

Section 4 - Re: Arena Feasibility Report prepared by Cummings Cockburn Inc.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Agostino, Lombardo, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Alderman Copps. 1.

CARRIED.

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - TWENTIETH REPORT

Section 11 - Re: Change in Zoning for property located at 690 Main Street West

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Copps, Agostino, Lombardo, Jackson, Ross, Murray. - 10.

NAYS: Alderman Kiss. 1 -

CARRIED.

* * * * *

Section 12 - Re: Change in Zoning for properties located at 125 Napier Street and 55 Queen Street North.

It was moved by Alderman Lombardo and seconded by Alderman Agostino

RESOLVED: That the following be added as Sub-section (g) of Section 12 of the Twentieth Report for 1990 of the Planning and Development Committee

"(g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area."

CARRIED.

* * * * *

LICENSING COMMITTEE - SEVENTH REPORT

* * * * *

FINANCE AND ADMINISTRATION COMMITTEE - TWENTY-FIFTH REPORT

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury

RESOLVED: That the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee and the Finance and Administration Committee, be adopted.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Lombardo, Jackson, Ross, Murray. - 11.

NAYS: 0 -

CARRIED.

* * * * *

It was moved by Alderman Murray and seconded by Alderman Jackson

RESOLVED: That Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a meeting with the local members of the Provincial Legislature.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: 0. -

CARRIED.

It was moved by Alderman Murray and seconded by Alderman Jackson

RESOLVED: That the local members of the Provincial Legislature be requested to meet with the Council of the Corporation of the City of Hamilton to discuss matters of local concern.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: 0. -

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury

RESOLVED: That the following Bills be now read a first time:

A-137, A-138.

C-154, C-155, C-156, C-157, C-158, C-159, C-160.

H-112, H-113.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Agostino, Lombardo, Jackson, Ross. - 10.

NAYS: 0 -

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury that Council move into Committee of the Whole to consider the following Bills, with Alderman McCulloch in the chair. (second reading)

A-137, A-138.

C-154, C-155, C-156, C-157, C-158, C-159, C-160.

H-112, H-113.

Recorded vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Jackson, Ross, Murray. - 10.

NAYS: 0 -

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury

RESOLVED: That the Report of the Committee of the Whole (second reading) on the Bills, be adopted. -

Recorded vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Jackson, Ross, Murray. - 10.

NAYS: 0 -

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Drury

RESOLVED: that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws

A-137, A-138.

C-154, C-155, C-156, C-157, C-158, C-159, C-160.

H-112, H-113.

Recorded vote.

YEAS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Drury, Copps, Lombardo, Jackson, Ross, Murray. - 10.

NAYS: 0 -

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

MEETING OF HAMILTON CITY COUNCIL

Monday, November 19, 1990

9:00 o'clock a.m.

Council Chamber

The Council met.

PRESENT: Robert M. Morrow, Mayor
Aldermen T. Cooke, M. Kiss, W. McCulloch, D. Drury, G. Copps,
D. Wilson, D. Agostino, T. Jackson, V. Formosi, J. Gallagher,
T. Murray

ABSENT: Alderman V. Agro - civic business
Alderman B. Hinkley - vacation
Alderman F. Lombardo - civic business
Alderman D. Ross - civic business

His Worship Mayor Robert M. Morrow called the meeting to order.

* * * * *

Prior to the commencement of this meeting, Mr. K. E. Avery, City Clerk certified that at the by-election held on Monday, November 12, 1990, the following were duly elected:

Ward 4 - Mr. Dave Wilson
Ward 6 - Mr. Vince Formosi

Alderman Elect D. Wilson and Alderman Elect V. Formosi subscribed to the Oath of Allegiance and Declaration of Office administered by His Worship Mayor Morrow and took their respective seats in the Council Chambers.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Report of the Nominating Committee.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Drury, Copps,
Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 13.

NAYS: 0. -

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Report of the Committee of the Whole on the Report of the Nominating Committee, be adopted.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 13.

NAYS: 0. -

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That Bill J-1 be now read a first time

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 13.

NAYS: 0. -

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider Bill J-1. (second reading)

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 13.

NAYS: 0. -

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Report of the Committee of the Whole (second reading) on Bill J-1, be adopted. -

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 13.

NAYS: 0. -

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Bill J-1, be now read a third time, signed, sealed and enrolled as a By-law:

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 13.

NAYS: 0. -

CARRIED.

* * * * *

City Council then adjourned at 9:20 o'clock a.m.

MEETING OF HAMILTON CITY COUNCIL

Wednesday, November 21, 1990

4:00 o'clock p.m.

Council Chamber

The Council met.

PRESENT: Robert M. Morrow, Mayor
Aldermen T. Cooke, M. Kiss, V. Agro, W. McCulloch, D. Drury,
G. Copps, D. Wilson, D. Agostino, T. Jackson, V. Formosi,
H. Merling, J. Gallagher, T. Murray

ABSENT: Alderman B. Hinkley - vacation
Alderman F. Lombardo - absent
Alderman D. Ross - civic business

His Worship Mayor Robert M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch

RESOLVED: That Rule No. 5 of the Procedural By-law No. 82-208 be suspended for
this meeting of City Council.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps,
Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 14.

NAYS: 0. -

CARRIED.

NOTE: This meeting of City Council was called for 4:00 o'clock p.m. and inasmuch it
did not convene until 6:40 o'clock p.m., it was necessary to suspend Rule No. 5 of the
Procedural By-law, requiring meetings to convene within thirty minutes of the time
called for the meeting.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Murray

RESOLVED: That Rule No. 8 of the Procedural By-law 82-208 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the leasing and financing of improvements to Copps Coliseum.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 14.

NAYS: 0. -

CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Murray

RESOLVED:

1. That the Council of the Corporation of the City of Hamilton endorse Hamilton Entertainment and Convention Facilities Inc. entering into a Licencing and Leasing Agreement with Tim Donut Ltd., In Trust, for use of Copps Coliseum, subject to the terms and conditions setforth in Schedule "A".
2. That the construction of the additional private boxes for Copps Coliseum referred to under heading Capital Improvements on page 3 of Schedule "A" in the amount of \$5.9 million as provided for in the 1991 portion of the 1990 - 1994 Capital Budget Programme approved by City Council on March 16, 1990 be proceeded with and financed from the Reserve for Capital Projects.
3. That the City Treasurer be authorzied to arrange financing, if required, for the improvements referred to under heading Capital Improvements on page 3 of Schedule "A", subject to the City of Hamilton recovering all costs associated thereto, including principal and interest.
4. That leave be granted to introduce the following Bill:

Bill H-114

A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 12.

NAYS: Aldermen Kiss, Copps. 2. -

CARRIED.

SCHEDULE "A"

TERMS AND CONDITIONS FOR N.H.L. LICENCING AND LEASING AGREEMENT OF COPPS COLISEUM

This proposal is for N.H.L. hockey games.

LICENCE FEE

- \$750,000. per annum for first five (5) years
- 5% of gross ticket revenue years six (6) to twenty (20)
- post N.H.L. playoff and exhibition games with non-N.H.L. teams are 5% of gross ticket revenue
- twenty (20) year agreement with two (2) ten (10) year options at rates to be negotiated
- to include all event charges; maintenance; practice time; cleaning; home team dressing room (year round); use of visiting team dressing room (hockey days only); utilities; property/business/taxes for office space to be responsibility of the team

CORPORATE PRIVATE BOXES

- years one (1) through five (5) - 10% of gross licence fee (box rental) at stand alone market value
- years six (6) through twenty (20) - 15% of gross licence fee (box rental) at stand alone market value
- year 'round operation by team effective September 1, 1992
- team owners and their licencees to be responsible for all improvements and all costs of operation, excluding utilities.

CONCESSIONS (Including Beer Outlets)

- team to have control of and be responsible for all improvements and costs of operation excluding utilities.
- **HOCKEY (N.H.L.) GAMES**
- team to receive 100% of gross revenue
- **OTHER EVENTS**
- Years one (1) through fifteen (15), 20% of gross revenue to Copps Coliseum
- Years sixteen (16) through twenty (20), 22% of gross revenue to Copps Coliseum

LICENCING AND MERCHANDISING

- HOCKEY (N.H.L.) GAMES
- Team to receive 100% of gross revenue
- OTHER EVENTS
- Copps Coliseum to retain control. Any percentage of gross revenue received by Copps Coliseum in excess of 15% shall be shared 50/50.
- The parties shall mutually consent on the placement of the merchandising stands.

CLUB LOUNGE

(To Exclude Beer Outlets i.e. Beer Gardens and
To Include Upstairs Lounge, Restaurants and Directors' Suite)

- team to have control and be responsible for improvements and costs of operations excluding utilities
- HOCKEY (N.H.L.) GAMES
- team to receive 100% of gross revenue
- OTHER EVENTS
- Copps Coliseum receives 9% of gross revenue

SCOREBOARD/CLOCK

- team to retain 85% of advertising revenue
- Copps Coliseum to receive 15% of gross advertising revenue based on stand alone value of such advertising
- all costs of operation to Copps Coliseum
- reasonable allocation of time for upcoming H.E.C.F.I. events at no charge
- advertising to be acceptable to H.E.C.F.I. (community standards)

ADVERTISING

- Rinkside Dasherboards - 100% of gross revenue to be received by team during N.H.L. hockey games only
- For other events, if rink dasher boards are sold by Copps Coliseum then that revenue is to be shared equally
- Exit Signage in rink bowl - 100% of gross revenue to be received by team
- Scoreboard/Clock - 15% of gross revenue to be received by Copps Coliseum for maintenance purposes
- Zamboni - 100% of gross revenue to be received by team
- Display Advertising Product (concession stands) 100% gross revenue to team

Outside entrances and exits to Copps Coliseum and outdoor signs and balcony fascia on and around Copps Coliseum to be retained by owners for annual rights fee equal to:

- \$175,000. per annum for the first five (5) years
- \$200,000. per annum for the second five (5) years
- \$250,000. per annum for the third five (5) years
- fees for fourth five (5) years to be negotiated at prevailing market rates for similar facilities and tenants

BROADCAST RIGHTS

- 100% control and ownership and revenue by team

CAPITAL IMPROVEMENTS

Copps Coliseum to provide:

- construction of corporate private boxes roughed-in including utilities
- leasehold improvements to club lounge*
- leasehold improvements to N.H.L. offices but not for retail portion of such space*
- leasehold improvements to home team dressing room*
- leasehold improvements to restaurant, kitchen and concession facilities except street level retail space*
- leasehold improvements to medical room including provision of all medical equipment as per N.H.L. guidelines*

Note:

provision of telephone and fax services to be the responsibility of team

- * cost of leasehold improvements by City to be amortized over length of lease at City's best interest rate and paid by team.

RETAIL OUTLETS

- N.H.L. office/retail space
- The Space may be used as administrative/retail space by the team/tenants licencees, etc. provided:
 - should the team locate their administrative offices or part thereof then "The Space" shall be reduced by the number of off-site square feet used for such administrative purposes.
- The rent for the retail portion of The Space shall be 6% of team's gross revenue from the space per annum net, net to H.E.C.F.I.
- Copps Coliseum shall not lease or allow to be operated any food/restaurant or sports retail business in Copps Coliseum except for the W.B.L. which shall be allowed to operate an outlet selling only retail basketball merchandise.

PARKING

- Hockey club to receive revenue from 2,000 spaces at \$5.00 per space, per game, increasing only with Parking Authority rates.

MISCELLANEOUS

- All references herein to gross revenue shall mean "gross proceeds excluding applicable taxes, ticket surcharge.
- It is understood and agreed between Copps Coliseum and the team that the terms and conditions of the proposal are in summary form only and that the terms and conditions are subject to executing a mutually acceptable form of licence\lease agreement.

It was moved by Alderman Cooke and seconded by Alderman McCulloch

RESOLVED: That Bill H-114 be now read a first time

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 12.

NAYS: Aldermen Kiss, Copps 2. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch that Council move into Committee of the Whole to consider Bill H-114. (second reading)

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 14.

NAYS: 0. - CARRIED.

* * * * *

Consideration of the Bills (second reading).

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 12.

NAYS: Aldermen Kiss, Copps 2. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch

RESOLVED: That the Report of the Committee of the Whole (second reading) on Bill H-114, be adopted. -

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 12.

NAYS: Aldermen Kiss, Copps 2. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman McCulloch

RESOLVED: That the Bill H-114, be now read a third time, signed, sealed and enrolled as a By-law:

Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Drury, Wilson, Agostino, Jackson, Formosi, Merling, Gallagher, Murray. - 12.

NAYS: Aldermen Kiss, Copps. 2. -

CARRIED.

* * * * *

City Council then adjourned at 6:50 o'clock p.m.

CORRESPONDENCE

Correspondence

1. Letter dated 1990 November 23 from Eric Grove, Consultant opposing the proposed change in zoning referred to in Section 14 of the Twenty-First Report of the Planning and Development Committee of property located on the west side of Rice Avenue, south of Chedmac Drive, Hamilton, Ontario.

Recommendation: **Be Received.**

2. Petition signed by residents opposed to the change in zoning of property located at 690 Main Street West, as approved by City Council at its meeting on November 13, 1990.

Recommendation: **Be Received.**

3. Application dated 1990 November 13 from the Rector and Church Wardens of Christ's Church Cathedral, 252 James Street North, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District and to the "H" (Community Shopping and Commercial, etc.) District for property at 252 James Street North, Hamilton, Ontario.

Recommendation: **Be Received.**

Eric Grove, M.C.I.P.

NOV 22 1990

Consultant

CITY CLERKS

Members of Council,
City of Hamilton,
City Hall,
Main St., Hamilton

23 November 1990

re PRESBYTERIAN RESIDENCES
CHEDMAC DRIVE/RICE AVENUE

On November 21st. last, Planning and Development Committee approved an application for a change of zoning at the above. In my opinion this approval is premature because:

- a) the Official Plan has not been amended and neighbourhood studies have not yet been completed, as stated by planning consultant Donald May at the Planning and Development Committee public meeting:
- b) as far as I can ascertain no studies have been carried out to determine suitability of the site for it's intended use from the social or environmental points of view:
- c) I am particularly concerned with the impact of 'external' noise on this parcel of land especially in view of the intention to use it for senior citizen housing.

There are two existing nearby uses that will impact seriously on this site- the adjacent laundry, which emits an unpleasant and irritating noise very obvious in summer, and the traffic using Mohawk Road. This latter noise, continuous from 0500 to 0100 hours every day, can be intrusive as far north as Holbrook School.

Also proposed, slightly to the northwest of the site, is a large multiple-use skating rink the noise from which may well impact adversely on the senior citizens housing, particularly the six-storey structure and the row-housing facing west and south.

As you may be aware medical evidence indicates that noise has a deleterious effect on human beings and becomes more adverse as we grow older.

I therefore believe that approval of a rezoning for this site should not be granted until the Official Plan is amended and all the relevant studies have been carried out. These should include, among others, noise studies by a qualified Consultant to meet the requirements of the Environmental Approvals Branch of the Ministry of the Environment, and traffic studies by a qualified traffic engineering Consultant.

Until all the studies are completed, and remedial measures put in place, approval of this project is, in my opinion, premature.

Yours Truly,

A handwritten signature in dark ink, appearing to read "Eric Grove", with a long, sweeping horizontal stroke extending to the right.

ERIC GROVE

EG/EH

L. 147

PETITION

RE: CHANGES IN ZONING TO 680 MAIN STREET WEST

FILE ZA89.123, SEQ-00467

WE THE UNDERSIGNED property owners and tax payers strongly object to changing the zoning of Block 1 from C TO CR-2, Block 2 from E to CR-2, Block 3 from G to CR-2 and Block 4 from H to CR-2, in order to build two (2) 18 storey condominiums and commercial shopping area on this site. We feel that this is too ambitious a design for this site.

Specifically we feel we will suffer:

- a) deprivation of sunlight to the East and South as the buildings are both too high (around 180 feet) and too close to neighbouring buildings.
- b) deprivation of view towards downtown and escarpment.
- c) deprivation of property privacy due to (1) close proximity of proposed buildings to existing dwellings; and (2) proposed tennis court immediately behind the houses facing Paradise South while a tennis court already exists immediately across the street at Westdale High School (the high powered lights are on until 11 pm from Spring to Fall).
- d) reduced property value from the commercialization of the zoning and the large number of apartments, the lack of privacy and the increased noise.
- e) increased traffic in this congested area. The streets leading to this site are all hills (Main, Macklin, Carling); the last two are difficult to negotiate in winter. There is little on-street parking in this area.
- f) increased burden on already overcrowded area school facilities--(George R. Allan, Dalewood, Westdale High School.)
- g) increased danger to school children at crossings due to increased all-hours traffic.
- h) increased burden on services e.g. sewer and water.
- i) reduced enjoyment of property due to lack of sunlight, privacy, and increased noise.

NAME	ADDRESS	PHONE
Walter M. Duff	36757 KING-W HAMILTON	522-2711

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTEENTH** Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Cardeen Construction Limited, Stoney Creek, to provide labour and equipment for snow removal during the 1990-1991 winter season, in accordance with Vendor's quotation, and that this expenditure be finance from various accounts, as follows:

One Rubber Tire Backhoe/Loader	\$ 88 per hour
One Cat Bulldozer	\$120 per hour

Plus applicable taxes

2. That a purchase order be issued to Northland Bitulithic Limited, Downsview, in the amount of \$35 680, being in only quotation received, for concrete crushing at the Brampton Street Yard for the Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from General Roadway Maintenance Account No. 56398 60168.

NOTE: As the stockpiled concrete must be eliminated to allow for snow dump, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. (a) That the Director of Property be authorized to negotiate with the following owners for acquisition of a portion of their lands required for the extension of Berkindale Avenue in order to implement the approved Riverdale East Neighbourhood Plan. The necessary expenditures are to be charged to Account No. CH5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands).

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Michel Alcid Garon - Part of 891 Queenston Road, Stoney Creek
Debra Ann Garon (which part is in the City of Hamilton)

- (b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before February 28, 1991, the City Solicitor be authorized and directed to initiate expropriation proceedings, and, the Director of Property be authorized to retain an independent fee appraiser to prepare and appraisal of market value. The costs are to be charged to Account No. CH5X303 00107 (Reserve for City's Share of Services through Unsubdivided Lands).
- 4. (a) That the "Agreement by Owner to Accept Compensation", executed by Susan Medeiros on November 7, 1990, whereby the owner agreed to accept the amount of \$125 000 as full and final settlement of compensation for the City's expropriation of the lands known as 265 Charlotte Street, be approved and completed.
- (b) That the transaction be financed from Account No. CH5X303 00102 (Reserve for Property Purchase).
- (c) That the City Solicitor be authorized and directed to complete this transaction.
- 5. (a) That an Offer to Purchase (Easement) Agreement executed by officials of Union Gas Limited on October 2, 1990 and scheduled for closing on January 8, 1991, for the installation of an NPS 8 Pipe along the southerly limit of Stone Church Road East, east of Upper James Street (236.44 feet x 16.46 feet), be approved and completed. The purchase price of \$1 001 is to be credited as follows: \$1 to Account No. 4X999 00107 (Service through unsubdivided lands) and the remaining \$1 000 to Account No. CH59050 30001 (Outside Recoveries). The deposit cheque of \$1 is being held by the City Treasurer pending approval of this transaction.

NOTE: The property is composed of Parts 9, 10 and 11 on Plan 62R-8858. Subject parcel having a frontage of 72.074 metres (236.44), more or less, by a depth of 5.184 metres (16.46 feet), more or less.

- (b) That the Offer to Purchase (Easement) is subject to the following:

The City reserves the right to grant further easements through Condition 14.

"It is understood and agreed that the Transferor shall reserve unto itself, its heirs, successors, and assigns the irrevocable right to grant such further and other easements as from time to time the Transferor sees fit".

6.
 - (a) That the City of Hamilton should continue with auctioning its depreciated and obsolete vehicles and equipment because significantly more revenue is realized through the auction than through trading in the equipment, and
 - (b) That the other organizations participating in the auction should share in the expenses of the auction (auction fees, advertising and operator's labour) based on their proportion of the revenue, over the total revenue from the auction.
7.
 - (a) That Section 47 of the **THIRTEENTH** Report of the Transport and Environment Committee adopted by City Council on July 31, 1984, authorizing the City Solicitor to make application to a County Court Judge under Section 82 of the Registry Act, R.S.O. 1980 for an order closing Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly, be rescinded.
 - (b) That the Commissioner of Engineering be directed to prepare a By-law for the stopping up, closing and sale of Melissa Street from 15.24 m east of the original centreline of Upper Wellington Street to approximately 58.83 m easterly.
 - (c) That the Commissioner of Engineering be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1980.
 - (d) That the Director of Property be directed to proceed with the disposition of the said lands.
 - (e) That the Commissioner of Engineering register a reference plan under the Registry Act, to delineate the manner in which the closed road allowance is to be distributed to the abutting owner.

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- (f) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and
 - (g) That the City Solicitor make application to the Ministry of Housing under Section 298 (11) of the Municipal Act for approval of the By-law.
8. That the Hamilton and District Dental Hygiene Association be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, October 19, 1992 to Monday, October 26, 1992, with the following message:

NATIONAL DENTAL HYGIENE WEEK

9. (a) That the authorization granted by City Council on March 27, 1990 in adopting Item #6 of the **FIFTH** Report of the Transport and Environment Committee be rescinded.
- (b) That the application of Rouben Gharabegian, owner of 438 Dundurn Street South to retain the inadvertent encroachment consisting of a balcony measuring 3.2' x 4.5', and a portion of the building measuring 0.9' x 46.8' on the road allowance of Glenside Avenue be approved provided:
- i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - ii. That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege.
 - iii. That the Mayor and City Clerk, be authorized to sign and execute all necessary documents to implement this agreement.
10. That the revised Wheelchair Ramp Standard Drawing RHS 312 attached hereto as Schedule "A", be adopted as the standard wheelchair ramp design on City Projects.

11.
 - (a) That a proposed widening from 7.3 metres to 8.5 metres of Rodgers Road from King Street to Central Avenue, Balmoral Avenue from Main Street to King Street and Binkley Road from Main Street West to Sanders Boulevard be advertised under Section 301 of the Municipal Act and the necessary alteration By-law be prepared by the City Solicitor and the City Clerk;
 - (b) That the proposed 1991 Road and Sidewalk Capital Reconstruction Programme in the amount of \$9 400 000 be received;
 - (c) That the Committee request the approval of the Finance and Administration Committee to spend up to \$4 000 000 of the proposed \$9 400 000 1991 Road and Sidewalk Capital Reconstruction Programme to allow for tendering and construction to occur prior to the final budget approval;
 - (d) That the Commissioner of Engineering be authorized to undertake the works on behalf of the City of Hamilton once all necessary approvals have been received.
12.
 - (a) That the Committee request Hamilton-Hydro to relocate, at their cost, the hydro pole in front of No. 55 Algonquin Court to a point on the No. 51 Algonquin Court side six inches from the extended property line common to the two properties, and
 - (b) That the Committee approve the extension of the existing driveway at No. 55 Algonquin Court, southerly by up to 3.8 m for a total driveway width of up to 5.5 m, at the expense of the owner at No. 55 Algonquin Court.
13. That the City of Hamilton support and endorse the Region of Halton resolution regarding Gypsum Waste Recycling dated Wednesday, August 22, 1990.
14.
 - (a) That the action of the Commissioner of Engineering be confirmed in authorizing the application of the Hamilton Hydro Electric System to temporarily close, Ferguson Avenue South between King Street East and King William Street, on Saturday, November 17, 1990 from 8:00 a.m. to 4:00 p.m. in order to install a hydro duct, for the Canadian National Railway, subject to the following conditions:
 - (b) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department if deemed appropriate on the affected roadways, at the expense of the applicant;

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- (c) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
 - (d) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provisions for cross liability, and holding the City harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss;
 - (e) That the applicant reimburse the Regional Police Department, Regional Engineering Department, City of Hamilton Traffic Department and any other agency for any costs incurred by these agencies as a result of this closure;
 - (f) That no property owner or resident within the barricaded area be denied access to their property if requested.
 - (g) That all property owners and tenants along the closed portion of the road be notified of the proposal by the applicant at least one week prior to the event in a form acceptable to the Commissioner of Engineering.
15. (a) That an additional amount of \$25 000 be provided in the 1990 Current Budget, Railway Crossing General Maintenance Account No. CH57408 52010.
- (b) That this amount be transferred from the Railway Crossing Specific Maintenance Account No. CH57409 51010.
- (c) That the Acting Commissioner of Engineering be authorized to issue the necessary purchase order on behalf of the City of Hamilton to CP Rail.
16. (a) That the following City lands be incorporated into the various Streets:
- | | |
|------------------|-----------------------------|
| Rexford Drive | Block 56, Plan 62M-384 |
| Rexford Drive | Parts 4 & 6, Plan 62R-10808 |
| Atherley Drive | Part 2, Plan 62R-10808 |
| Bow Valley Drive | Block 52, Plan 62M-357 |
| Limeridge Road | Part 3, Plan 62R-8668 |
- (b) That the By-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by Council.

- (c) That the Commissioner of Engineering be authorized and directed to register the by-laws.
17. That the construction of a 13 foot driveway approach located at 97 and 101 Pearl Street North to accommodate residential parking on site for 97 Pearl Street North be approved, subject to the registration of an agreement which is in a form satisfactory to the City Solicitor.
 18. That a School Crossing Guard not be assigned to the intersection of Main Street East and London Street.
 19. That the existing supervised school crosswalk on Britannia Avenue, west of Barons Avenue, be relocated approximately 50 feet easterly to the west crosswalk of the intersection of Barons Avenue and Britannia Avenue.
 20.
 - (a) That the style of special street name submitted by the Downtown B.I.A. as illustrated in the drawing appended hereto as Schedule "B", be approved and;
 - (b) That the City of Hamilton Traffic Department be authorized to install and maintain the special street name signs as provided by the B.I.A. on Mary, Catharine and Hughson from Main to King William, and on MacNab from Main to King, and on King William from James to Mary.
 21. That the City Traffic By-law No. 89-72 be amended to provide for the following:
 - (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Royal Avenue between Emerson Street and Leland Avenue; and
 - (b) That parking be prohibited on the north/west side of Bay Street North between Burlington and Wood Streets; and
 - (c) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day 7 days a week" regulation be implemented on both sides of Markland Street between Bay Street South and Park Street South/Chilton Place; and

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- (d) That the existing "Permit Parking, 24 hours a day, 7 days a week" regulation on the east side of Springer Avenue between Maplewood Avenue and Main Street East be replaced with a "Permit Parking, 24 hours a day, Monday to Saturday" regulation; and
 - (e) That one parking meter be removed and that parking be prohibited on the east side of Hess Street South from a point 81 feet south of King Street West to a point 31 feet southerly therefrom; and
 - (f) That a four-way stop control be implemented at the intersection of Brucedale Avenue and Rendell Boulevard; and
 - (g) That a four-way stop control be implemented at the intersection of Campbell Avenue and Rosslyn Avenue North; and
 - (h) That the existing left turn prohibition for southbound motorists on Glendale Avenue at Cannon Street be removed; and
 - (i) That parking be prohibited on both sides of Sanitorium Road from Scenic Drive to the West End.
22. That leave be granted to introduce the following Bills:
- (a) A-139 To Incorporate Block 56, Plan 62M-384 into Rexford Drive
 - (b) A-140 To Incorporate Parts 4 & 6, Plan 62R-10808 into Rexford Drive
 - (c) A-141 To Incorporate Part 2, Plan 62R-10808 into Atherley Drive
 - (d) A-142 To Incorporate Block 52, Plan 62M-357 into Bow Valley Drive
 - (e) A-143 To Incorporate Part 3, Plan 62R-8668 into Limeridge Road
 - (f) A-144 By-law to Amend By-law No. 89-72 to Regulate Traffic
 - (g) A-145 By-law to Amend By-law No. 89-72 to Regulate Traffic.

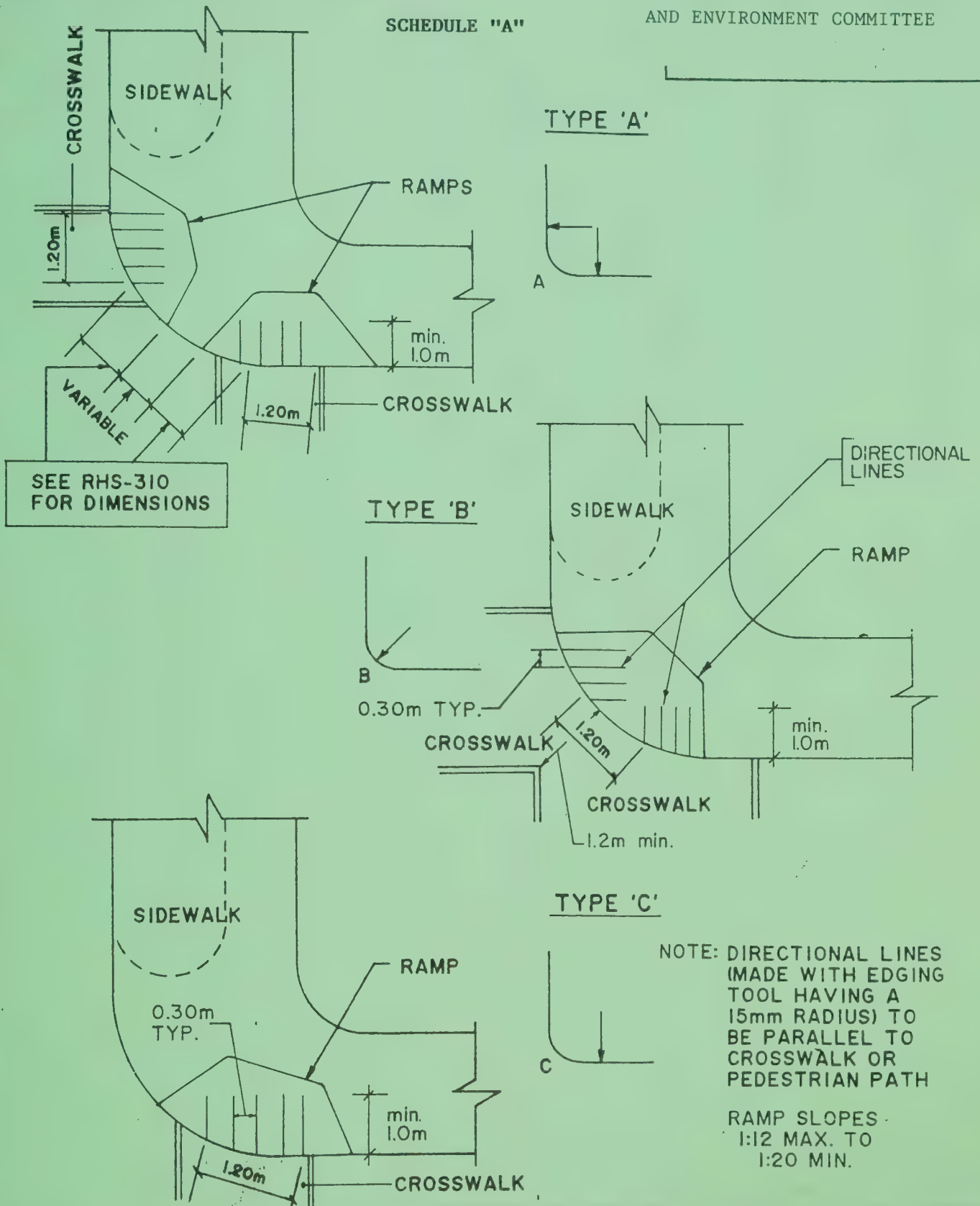
RESPECTFULLY SUBMITTED,

Tina Agnello,
Secretary

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

November 19, 1990

SCHEDULE "A"



THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
DEPARTMENT OF ENGINEERING

DIRECTOR

REVISION

WHEELCHAIR RAMP LOCATIONS

DATE

A-9

APR. 2, 1990

SCALE

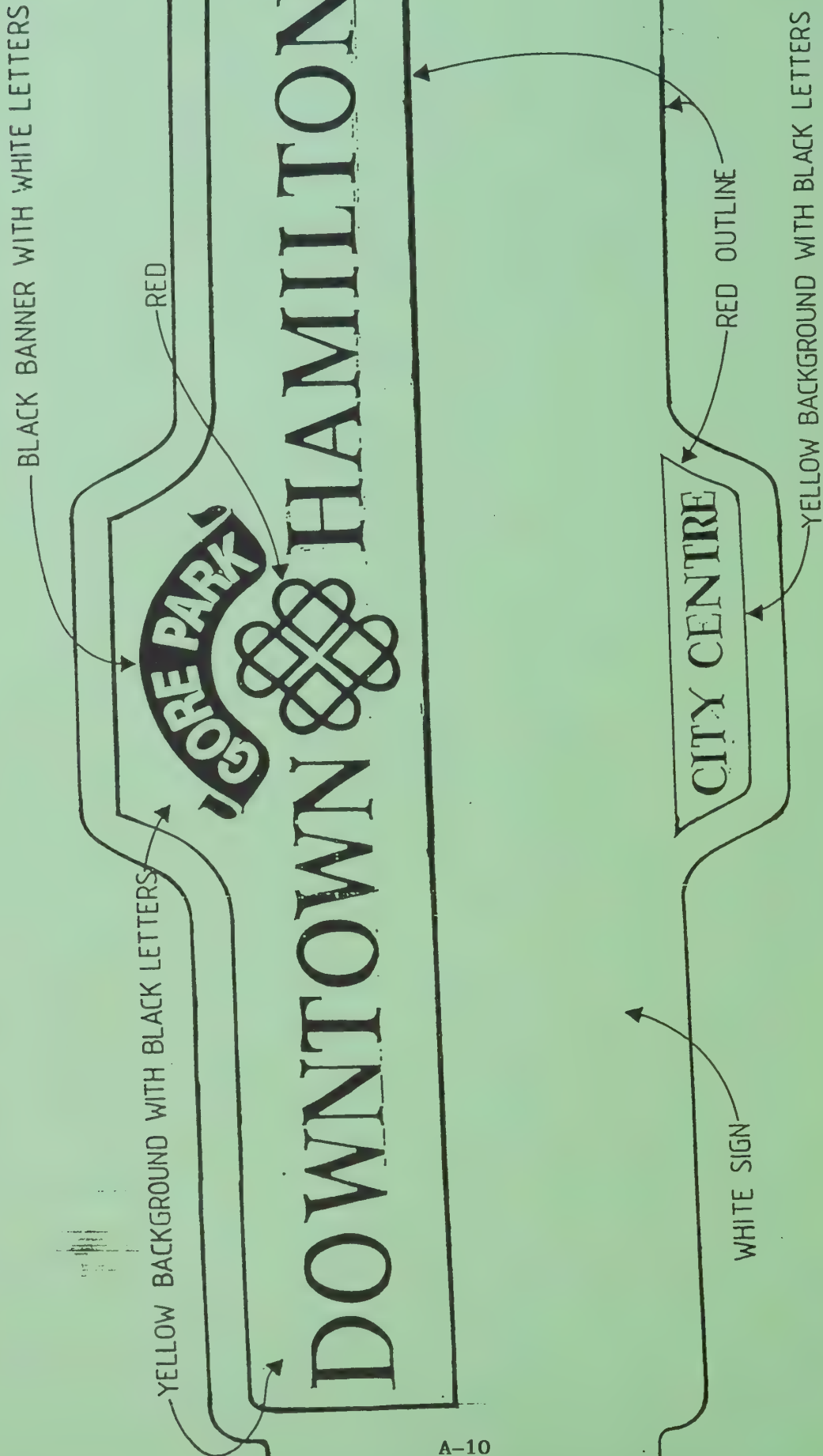
N.T.S.

APPROVED

Ted Gill

COMMISSIONER OF ENGINEERING

SCHEDULE "B"



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1990 and respectfully recommends:

1. (a) That an Option to Purchase the property at 16 Douglas Street, duly executed by Manuel Juliao and Fernanda Juliao on 1990 November 05 and scheduled for closing on or before 1991 January 18, be approved and completed.

NOTE: The subject property has a frontage of 5.63 metres (18.5 feet), more or less, by a depth of 16.76 metres (55 feet), more or less, together with all structures erected thereon being Municipal No. 16 Douglas Street.

- (b) That consideration in the amount of \$2 which has been paid to the owner form part of the purchase price. The purchase price of \$60 000 is to be charged to Account No. CF5590 628650010 (Land Acquisition - Keith Park).

2. (a) That a Garden Plot at Billy Sherring Park on Upper Sherman Avenue be approved for a Summer Garden Project with the Neighbour to Neighbour Centre for 1991.

- (b) That a Use Agreement be executed to the satisfaction of the City Solicitor.

3. That Section 2 of the **THIRTEENTH** Report of the Parks and Recreation Committee for 1980 - establishing guidelines for the naming of Park and Recreational Facilities be amended to include the following:

"The naming of a Park or Recreational Facility commemorating a deceased person or persons shall not be considered until two (2) years after the death of such person or persons".

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4. (a) That the City of Hamilton accept the hosting of the Ontario Seniors Games in 1992.
- (b) That the Director of Culture and Recreation be given the approval to recommend the Games Organizing Committee.

NOTE: The City will be required to assure funds are raised and supported for an anticipated overall budget of \$334 000. The upset limit for the municipal contribution to be \$14 000.

5. (a) That the Baseball/Softball Council be involved in the allocation of facilities for the 1991 season.
- (b) That sport fields (less amenities) be allocated to youth and community programs as the first service priority at the nominal cost of \$1 per diamond, per date, to permitted users up to a maximum of \$50 per diamond per season.
- (c) That sport fields (less amenities) be allocated to city-wide adult leagues at the cost of \$5 per diamond, per date, to permitted users up to a maximum of \$350 per diamond, per season.
- (d) That regular diamond users be credited 2 weeks of their regular season gratis in lieu of regular season dates payed for, but cancelled due to inclement weather i.e., rainouts.

RESPECTFULLY SUBMITTED,

Lynn Dale,
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

1990 November 20

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-FIRST** Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 99 Arbour Road.
 - (b) 53 Lake Avenue North.
2. That approval be given to Proposed Draft Plan of Condominium Application 25CDM-90006, Arm-Orn Properties Ltd., owner, to establish a draft plan of condominium located at the south side of Harlowe Road and west of Pritchard Road, subject to the following condition:

That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 July 5, showing 14 industrial units.
3. (a) That the City Solicitor be directed to prepare a by-law to remove part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.
 - (b) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control from part of Holland Avenue and Parcel "B", Registered Plan No. 909.

NOTE: These lands are located south of Stone Church Road East and west of Beaverton Drive in the Butler Neighbourhood.
4. (a) That the City Solicitor be directed to remove a by-law to remove part-lot control from Lots 1 to 32 inclusive of Registered Plan 62M-661.
 - (b) That the Regional Municipality of Hamilton-Wentworth be requested to approve the by-law removing part-lot control on the above-noted Lots 1 to 32 inclusive of Registered Plan 62M-661.

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NOTE: These lands are located south of Stone Church Road East and west of Acadia Drive in the Butler Neighbourhood. The lands are part of Aquino Gardens, a Plan of Subdivision.

5. That, Change Orders Three and Four in the amount of \$11,117.06 for additional work at Belview Park in the Crown Point West/Stipeley Neighbourhood be approved and charged to the Crown Point West/Stipeley Phase II (P.R.I.D.E.) Programme Account No. CF 5200 428702005.

NOTE: Change Orders Three and Four are required to provide additional fencing at railway lands near Belview Park and winterizing of the spray pool area at Lucy Day Park.

6. That the City Solicitor be authorized and directed to prepare a By-law to give immediate effect to Orders issued pursuant to By-law 84-35, by authorizing the Building Commissioner to expend monies to a maximum of \$2,000. Furthermore, such money is to be recovered by adding the sum to the tax roll to be collected in a like manner as municipal taxes.

NOTE: City of Hamilton By-law 84-35 authorizes the Building Commissioner to clean up property where the owner is in default of the by-law.

7. (a) That an Option to Purchase the property at 219 Brant Street, duly executed by the Hamilton East Kiwanis Non Profit Homes Inc. for the Alpha West Residential Enclave Clearance Programme on 1990 November 9, and scheduled to close on or before 1991 February 4, be completed.
 - (b) (i) This Option to Purchase, and the binding contract of purchase and sale in the event of acceptance by the City, shall be conditional until the closing date so that the Owner may obtain the consent of Canada Mortgage and Housing Corporation ("CMHC") for the sale transaction contemplated herein, and failing receipt of such consent this Option to Purchase and any subsequent contract of purchase and sale shall be null and void, and any deposit paid shall be returned to the City without interest or deduction.
 - (ii) The Owner shall be entitled to remove the Stove and Refrigerator from the premises prior to closing.
- (c) The purchase price of \$70,000. is to be charged to Account Number CF5590308750001 Land Acquisition Enclave Clearance Program. Demolition is to take place upon closing.

NOTE: The subject property has a frontage of 9.144 metres (30 feet), more or less, by a depth of 24.384 metres (80 feet), more or less, together with all structures erected thereon being Municipal Number 219 Brant Street.

8. (a) That the renaming of Alma Avenue to Eaglewood Drive be approved;
- (b) That the City Solicitor be directed to prepare an appropriate by-law for the approval of City Council; and,
- (c) That this by-law be duly registered.

9. That the Terms of Reference of the Business Land Use Advisory Board, attached herewith and marked as Appendix "A", be approved.

10. (a) That approval be given to Subdivision Application 25T-90010, Starward Homes, owner, to establish a draft plan of subdivision north of Stone Church Road West and west of Chesley Street, subject to the following conditions:
 - (i) That this approval apply to the plan prepared by A. J. Clarke and Associates Ltd., dated 1990 March 22, revised to show 10 lots, one block (Block "11") as a public walkway and one block (Block "12") as a 0.3m reserve;
 - (ii) That the street be dedicated as a public highway and the walkway be dedicated as a public walkway to the City of Hamilton on the final plan;
 - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;
 - (iv) That the final plan conform with the zoning by-law approved under The Planning Act;
 - (v) That the owner make a cash payment in lieu of the conveyance of land included in the final plan to the City of Hamilton for park purposes;
 - (vi) That such easements as may be required for utility and drainage purposes be granted to the appropriate authority;
 - (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan;

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- (viii) That any dead-ends or open side of the road allowances created by the plan be terminated in 0.3m reserves (Block "12"), to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of abutting lands;
 - (ix) That prior to the final plan, sewers and watermain have been approved for construction on "Orchard Park Estates (25T-88003) and Harbottle Court (25T-89006).
 - (x) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
 - (xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this proposed draft plan of subdivision 25T-90010, Starward Homes, owner, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
11. That approval be given to Zoning Application 90-58, Starward Homes, owner for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for land municipally known as 236 Stone Church Road West, as shown on the attached map marked as Appendix "B" on the following basis:
- (a) That the lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17C for presentation to City Council;
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property municipally known as 236 Stone Church Road West.

The effect of the By-law is to permit single-family detached development on the subject lands.

12. That approval be given to amended Zoning Application 90-63, Vorelco Limited, owner, requesting changes in zoning from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc.- Holding) District (Block "1"); from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District (Block "2"); from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District (Block "3"); and for a modification to the "HH" (Restricted Community Shopping and Commercial) District (Block "4") to permit single-family development on Block "1" and retail commercial development on Blocks "2", "3" and "4", for property municipally known as 1209-1223 Upper James Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act, to the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed.

Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers serving the subject lands as the City deems necessary and passage of an amending by-law. City Council may remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in this By-law by enactment of an amending by-law once municipal sewers have been installed.

- (b) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. Holding) District;
- (c) That the lands described as Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (d) That the lands described as Block "3" be rezoned from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;
- (e) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to Blocks "2", "3" and "4", as shown on the attached map marked as Appendix "C", be modified to include the following variances as special requirements:

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- (i) That notwithstanding Section 14A(3)(a) a minimum front yard of 24.0 m shall be provided and maintained;
- (ii) That a minimum 3.0 m wide landscaped strip, excluding any vehicular access, be provided and maintained adjacent to the Upper James Street road allowance;
- (iii) That a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 6.0 m wide to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2";
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1209, and that the subject lands on Zoning District Map E-9B be notated S-1209;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9B for presentation to City Council;
- (h) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, on the lands described as Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit the development of Block "1" until municipal sewers are installed. Removal of the holding restriction shall be conditional upon the installation of all such municipal sewers as the City deems necessary and the passage of an amending By-law by the City Council to remove the 'H' symbol, and thereby give effect to the "C" District provisions as stipulated in the amending By-law outlined below.

The purpose of the By-law is to provide for changes in zoning for property municipally known as 1209-1223 Upper James Street.

- Block "1" - Change from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District;
- Block "2" - Change from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- Block "3" - Change from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District;

Block "4" - Modification to the "HH" (Restricted Community Shopping and Commercial) District.

The effect of the By-law is to permit development of the subject lands for the following uses:

Block "1" - single-family dwellings;

Blocks "2"

3" and "4" - retail commercial.

In addition, the By-law provides for the following variances as special requirements:

- (a) To require a minimum 24.0 m building setback from the front lot line (Upper James Street) for Blocks "2", "3" and "4";
- (b) To require a minimum 3.0 m wide landscaped strip, excluding vehicular access, to be provided and maintained adjacent to the Upper James Street road allowance;
- (c) To require a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height to be provided and maintained within a 6.0 m wide landscaped strip to be provided and maintained along the southerly side lot line and the easterly rear lot line of Block "2".

13. That approval be given to Zoning Application 90-75, A-1 Towing, lessee, requesting a modification to the established "M-15" (Prestige Industrial) District regulations, to allow, in addition to the other permitted uses, the establishment of a towing service and storage compound, for property located at 1650 Upper Ottawa Street, as shown on the attached map marked as Appendix "D", on the following basis:

(a) That the "M-15" (Prestige Industrial) District regulations, as contained in Section 17G of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special provision:

(i) That notwithstanding Section 17G(1)(b), the following additional Commercial use shall be permitted:

Use Not Prohibited

S.I.C. Number

Other Motor Vehicle Services, n.e.c.

6399

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- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1210, and the subject lands on Zoning District Map E-49E be notated S-1210;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "M-15" (Prestige Industrial) District regulations for property located at 1650 Upper Ottawa Street.

The effect of the By-law is to allow, in addition to the other permitted uses, the establishment of a motor vehicle towing service and storage compound.

- 14. (a) That approval be given to Official Plan Amendment No. 96 to redesignate the lands located on the west side of Rice Avenue, south of Chedmac Drive from "Major Institutional" to "Residential", and the City Solicitor be directed to prepare a by-law for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application 90-67, Presbyterian Residences (Hamilton) Inc., prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified, to permit the development of a senior citizens community consisting of a six storey, 82 unit apartment building; 18, two storey stacked townhouse units; 34, one storey townhouse units; a residential care facility for 12 residents, and an amenity centre, for lands located on the west side of Rice Avenue, south of Chedmac Drive, as shown on the attached map marked as Appendix "E", on the following basis:
 - (i) That the subject lands be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;
 - (ii) That the "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of Zoning By-law No. 6593, be modified to include the following variances as special requirements:
 - (1.) That notwithstanding Section 10A(1) only the following uses shall be permitted:

- (a) multiple dwellings containing not more than a total of 100 dwelling units;
 - (b) 34 townhouse dwelling units;
 - (c) a residential care facility for the accommodation of not more than 12 residents aged 60 years and older; and,
 - (d) an amenity centre having a minimum gross floor area of 1,010.0 m².
- (2.) That notwithstanding Section 10A(2), the maximum height of one of the multiple dwellings shall not exceed six storeys.
- (3.) That for the purposes of this By-law, "Amenity Centre" shall include, but not be limited to, the following:
- (a) Administrative offices;
 - (b) Chapel;
 - (c) Library;
 - (d) Activity and Exercise rooms;
 - (e) Lounges;
 - (e) Dining Room;
 - (f) Variety Store;
 - (g) Hairdresser.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1211, and that the subject lands on Zoning District Map W-37 be notated S-1211;
- (iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37 for presentation to City Council;
- (v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 96 by the Regional Municipality of Hamilton-Wentworth.
- (vi) That the Mountview Neighbourhood Plan be amended by redesignating the subject lands from "Civic and Institutional" to "Low Density Apartments".
- (c) That prior to the passing of the amending By-law the applicant shall apply for and receive Site Plan approval.

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NOTE: The Corporation of the City of Hamilton has adopted Official Plan Amendment No. 96 to the Official Plan for the Hamilton Planning Area to redesignate the lands located on the west side of Rice Avenue, south of Chedmac Drive from "Major Institutional" and "Residential".

The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District modified for the above noted lands.

The effect of the by-law is to permit the development of the lands for a senior citizens community consisting of:

- (a) a six storey, 82 unit apartment building;
- (b) 18, two storey stacked townhouse units;
- (c) 34, one storey townhouse units;
- (d) a residential care facility for 12 residents aged 60 years and over; and,
- (e) an amenity centre including a chapel, library, administrative offices, activity and exercise rooms, lounges, dining rooms, variety store and hairdresser.

15. That leave be granted to introduce the following Bills:

- (a) C-161 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 31, 33 and 35 Aikman Avenue.
- (b) C-162 A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal Nos. 115 and 125 Centennial Parkway North.
- (c) C-163 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1280 Rymal Road East.
- (d) C-164 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 54 Hess Street South.
- (e) C-165 A By-law to amend By-law No. 83-253 respecting repair or demolition of property.
- (f) C-166 A By-law to remove part of "Aquino Gardens" Registered Plan of Subdivision from Part-Lot Control.

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- (g) C-167 A By-law to remove "Aquino Gardens" Registered Plan of Subdivision from Part-Lot Control.
- (h) C-168 A By-law to change the name of Alma Avenue to Eaglewood Drive.
- (i) C-169 A By-law to designate land located at Municipal No. 988 Concession Street as property of Historic and Architectural Value and Interest.

Respectfully submitted,

**ALDERMAN D. DRURY, VICE-CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

Susan K. Reeder
Secretary
1990 November 21st

**TERMS OF REFERENCE
FOR THE
BUSINESS LAND USE ADVISORY BOARD
OF THE
CITY OF HAMILTON**

PURPOSE: To advise and make recommendations to the Planning and Development Committee of the City of Hamilton on land use planning issues which may affect the existing business community and/or the expansion thereof in the City of Hamilton with emphasis on the industrial sector.

MANDATE: To review land use planning issues relating to business concerns, including, but not limited to:

- The Official Plan and Amendments;
- Neighbourhood Plans and Secondary plans;
- Text amendments to the Zoning By-law;
- Provincial legislation changes affecting land use planning for business; and,
- Trends in industry and commerce which should be accommodated in land use planning.

BOARD MEMBERS:

- Chairman of the Planning and Development Committee or his designate;
- A representative from the Chamber of Commerce;
- Two representatives of the business community recommended by the Chamber of Commerce;
- A representative from the Hamilton and District Labour Council;

- A representative from the Hamilton and District Building Trades Council;
- A representative from the Ministry of the Environment; and,
- Two citizen members appointed by Council for a term of office to expire with the term of Council;

No Board member will send a substitute if he/she cannot attend a meeting.

The Hamilton-Wentworth Commissioner of Planning and Development and the Hamilton-Wentworth Director of Economic Development (or his/her designate) will attend to advise the Board; but will not be members of the Board.

Chairman and Vice-Chairman of the Board will be elected by the members and will exclude the Chairman of the Planning and Development Committee.

A staff co-ordinator for the Board will be supplied by the Planning and Development Department. Other staff may be required to attend.

QUORUM:

Will consist of a majority, more than one-half of the members in attendance (i.e., total 9 members, 5 members will make a quorum).

MEETINGS:

At the call of the Chairman or as requested by a member of the Board through the Chairman.

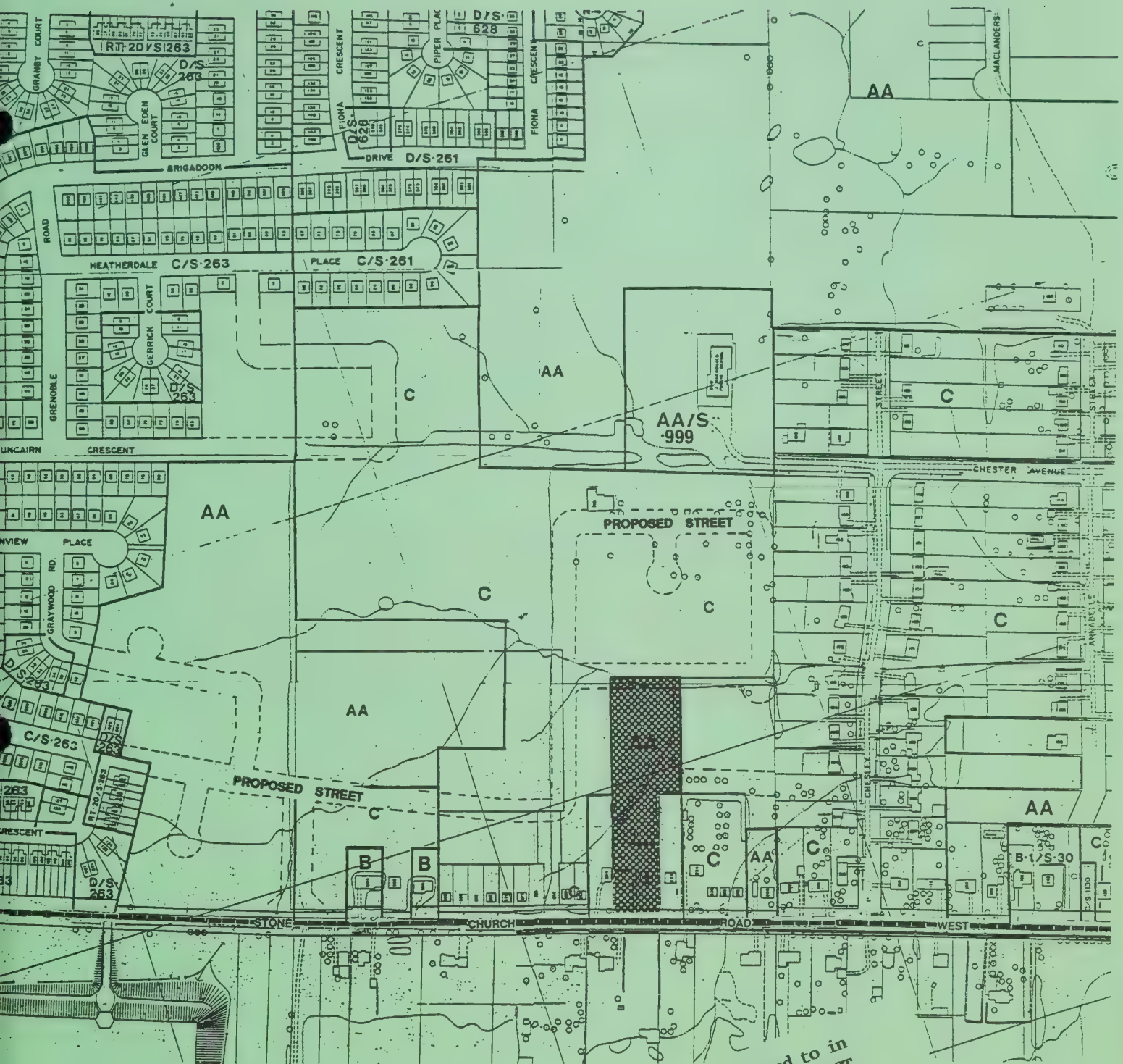
COMMUNICATION: (REPORTING PROCEDURES)

- The Planning and Development Committee may refer items to the Board.
- The Planning and Development Department will forward items listed under "Mandate" to the Board for its consideration.

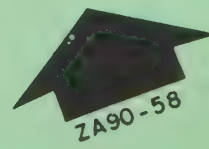
- A member may bring forward an item to be considered by the Board.
- Individual persons and/or groups may request, through the Chairman of the Board, to make a presentation.

CF/dkp

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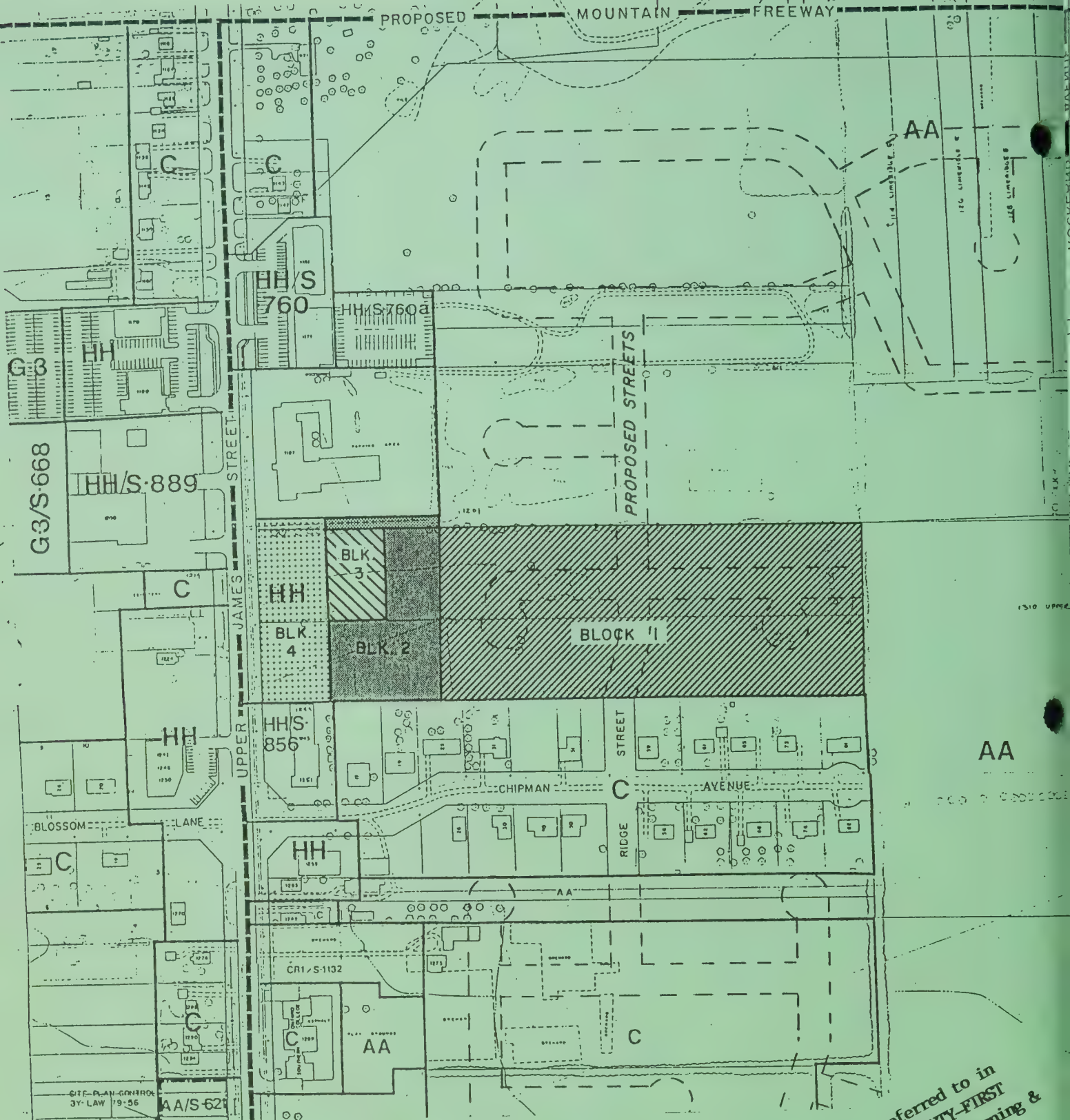
Appendix "B" as referred to in
 Section 11 of the TWENTY-FIRST
 Report for 1990 of the Planning
 & Development Committee.



Legend







Site of the Application

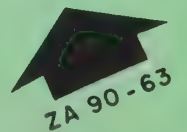


LEGEND

PROPOSED CHANGE IN ZONING FROM:

- BLOCK 1  "AA" (AGRICULTURAL) DISTRICT TO "C" - "H" (URBAN PROTECTED RESIDENTIAL, ETC.) HOLDING DISTRICT.
- BLOCK 2  "AA" (AGRICULTURAL) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.
- BLOCK 3  "AA" (AGRICULTURAL) DISTRICT, MODIFIED TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.
- BLOCK 4  MODIFICATION TO THE "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT.

Appendix "C" as referred to in
Section 12 of the TWENTY-FIRST
Report for 1990 of the Planning &
Development Committee.





Legend



Site of the Application

C 17

APPENDIX A

Appendix 'D' as referred to in Section 13 of the TWENTY-FIRST Report for 1990 of the Planning & Development Committee



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INFORMATION SYSTEMS COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council

The Information Systems Committee presents its **SEVENTH** Report for 1990 and respectfully recommends:

1. That the 1991 invoice for \$107 800 from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account No. CH5609X-26021 (User Software).

NOTE: This invoice represents the 1991 maintenance charges for the DBS software for the Human Resources, Payroll/Personnel and Financial Systems for the Region of Hamilton-Wentworth and the City of Hamilton.

Payment by January 1991 will save at least \$8 600 as the higher 1991 rate would apply after January 1991. A further saving of \$9 310 may be realized if the GST applies and no municipal GST rebate is allowed.

2. (a) That recycled and recharged laser printer cartridges be acquired from HIGHTech Recharging of Hamilton, at the cost of \$79 per unit, as the lowest of three quotations received.
- (b) That the funding be provided from City of Hamilton Account series CH56001 and Regional Department Account series RH530XX (Office Supplies).

RESPECTFULLY SUBMITTED,

Lynn Dale,
Secretary

**ALDERMAN J. GALLAGHER, CHAIRMAN
INFORMATION SYSTEMS COMMITTEE**

1990 November 19

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REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SIXTH** Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Battlefield Equipment Rentals Inc., Stoney Creek, in the amount of \$11 317.32, being the only supplier for this type of equipment to meet the City's requirements, for the purchase of one (1) Concrete Planer for Fleet Services, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from Streets Equipment Concrete Grinder Account No. CF5000 608951002.
 2. That a purchase order be issued to Wentworth Lincoln Landscaping Ltd., Grimsby, in the amount of \$17 380.97, plus a maximum of \$5 000 contingency if rock excavation is encountered, being the lowest of nine (9) quotations received, to install sewers at Barton Community Centre, Upper James Street, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from the Major Maintenance 1987 Account CF5698 318741003.
 3. That a purchase order be issued to Price Waterhouse Management Consultants, Toronto, in the amount of \$23 800, which was the only proposal received, to conduct a comprehensive audit of the Legal Department in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission, and that this expenditure be financed from Comprehensive Audit Account No. CH 56393 24101.
- NOTE:** Services provided after 1991 January 1 will be subject to the G.S.T.
4. That permission be granted to Hamilton-Wentworth Regional Social Service staff to tour City Hall in Christmas costumes on 1990 December 6 and 7 to sell candy canes to raise funds for a local Christmas bureau or gift fund.

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5. That permission be granted to the End the Violence Montreal Massacre Memorial Committee to use the area west of the City Hall forecourt (the location of the Memorial Garden) for a memorial gathering from 6:00 p.m. until approximately 6:30 p.m. on 1990 December 06, and, in the event of inclement weather, the City Hall first floor foyer.
6. That the contract settlement of the Hamilton Construction Association and the Labourer's International Union of North America, Local 837, Hamilton be received pursuant to the Fair Wage Policy of the City of Hamilton
7. That the Chief Administrative Officer and the Treasurer be authorized to approve current budget transfers and overdrafts for the balance of December following the 1990 December 11 City Council meeting, provided that a list of all such transactions is compiled for the approval of the appropriate Standing Committee and/or City Council in early 1991.
8. That Section 9(a) of the Twenty-Third Report of the Finance and Administration Committee adopted by City Council 1990 October 9 be rescinded and replaced with the following:

That the City Solicitor be authorized to make application for the increased City's cost by \$19 999.37 from the previous \$33 900.51 to the Ontario Municipal Board between Stone Church Road and Lunner Avenue at an estimated cost of owner's share of \$86 325.12, as well as City's share of \$53 899.88 revised from \$33 900.51, by the issuance of debentures totalling \$140 225 (revised from previous total of \$120 225.63) for a period not to exceed 20 years.

9. That Section (h) of the Comprehensive Audit Programme, adopted by City Council at the meeting held 1989 November 14 be removed and replaced with the following:
 - (h) That each Task Force (Steering Committee) be composed of up to three (3) elected representatives as well as up to two (2) citizen members, who shall not chair or vice-chair the Standing Committee responsible for the department or function being audited and three (3) appointed officials, one of whom shall be the department head responsible for the department or function being audited.

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10. (a) That the "Agreement by Owner to Accept Compensation", executed by John E. Milne on 1990 November 15, whereby the owner agreed to accept the amount of \$649 912.05 as full and final settlement of the City's expropriation of the lands known as 1688 Main Street West, be approved.
- (b) That the City Treasurer be authorized and directed to recover the full settlement amount from the Regional Municipality of Hamilton-Wentworth pursuant to the intent of the agreement between the City and Region, adopted by City Council on 1979 April 24.
11. (a) That a grant in the amount of \$22 500 to be used to offset expenses associated with the President's Dinner and Citation Awards to be provided during the Canadian Country Music Week Convention to be held in the City of Hamilton at the Hamilton Convention Centre 1991 September 10 - 16, be approved.
- (b) That this grant be financed from the 1991 Grant Budget Allocation.
- (c) That, as a condition of approval, the Treasurer be authorized and directed to recover the full amount of the City's contribution from the first \$22 500 profit realized from this Convention.
12. That the existing General Grant and Convention/Reception Grant Applications and Policies be revised to reflect the following changes:
 - (a) General Grants: All references within the existing policy and application are to be amended to reflect as a general rule funding to those organizations which provide a service within the jurisdiction of the City as defined within the Municipal Act and specifically reflect the following:
 - (i) Regardless of whether a grant application is old or new, all applications received by the deadline will be considered by the Grants Review Group following which their recommendations, in alphabetical order will be forwarded to the Finance and Administration Committee for approval;
 - (ii) Grant applications received after the deadline will not be considered. However, in the event a member of the Committee or City Council insists that a late application be considered, the Finance and Administration Committee will decide whether or not to consider the application by a majority vote. Late applications will only be considered after all of the applications received within the deadline have been reviewed, processed and finalized;

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- (iii) That a letter be forwarded to all past grant recipients as well as new applicants who have requested an application form advising that they must contact the Office of the Grants Co-ordinator to arrange to obtain a copy of the grant application at which time the applicant will be informed of the deadline for submitting applications;
- (iv) Advertise the availability of the grants and the deadline which has been extended to 1991 January 31 for the 1991 grants only for receiving applications for three (3) consecutive weeks;
- (v) With respect to the Grants criteria, consideration will not be given to any function or event to which participation is limited to any exclusive segment or element of the community;
- (vi) With respect to the Grants criteria, consideration will not be given to any organization that is in receipt of an interest-free loan until the loan is totally repaid;
- (vii) With respect to the Grants criteria, consideration will not be given to any organization which requests funds to offset costs of representing the City at events outside of Hamilton;
- (viii) All requests for interest-free loans are to be considered by the Grants Review Group and that the calculated lost interest revenue is to be charged to the Grants Budget;
- (ix) That any organization which has an approved grant of \$5 000 or more must supply an audited financial statement of their prior year's operations before any grant payments are made;
- (x) That the proposed amendments to the Grant Application and Policy from the Arts Advisory Sub-Committee, attached hereto and marked Appendix "A", which was endorsed by the Parks and Recreation Committee meeting held 1990 August 21 with the exception of item (e) (the deletion of Question #7) be implemented;
- (xi) That question 16 as amended by the Arts Advisory Sub-Committee (sub-section (x) above) which addresses the issue of planned financial self-sufficiency incorporate a request for a five year financial plan;
- (xii) to allow for appeals by any organization which disagrees with the Grants Review Group recommendation that the organization does not meet the general criteria for the consideration of grants;

- (xiii) an annual capital budget provision at a maximum amount of \$100 000 be submitted as part of the Capital Budget process for funding of Capital Grants. Capital Grants would be processed through the Grants Review Group and the Finance and Administration Committee in accordance with the Grant Policy. Any annual Capital Funds not allocated would be transferred to a reserve for Capital Grants.
- (b) Convention/Reception Grants: All references within the existing policy and application are to be amended to reflect the following:
 - (i) with respect to the Grants criteria, it should be consistent with the General Grants criteria and include those proposed amendments noted above;
 - (ii) the funding formula to calculate the grant amount is applicable to one occasion regardless of the number of events or activities that might take place within the relative timeframe.
- 13. (a) That the Treasurer be authorized to acquire the appropriate staffing (temporary) and supplies to do all those things necessary to implement the G.S.T. policies and procedures scheduled for 1991 January 1.
- (b) That a one-time provision of \$75 000 for this purpose be established and financed from the Reserve for Contingency.
- (c) That a report on the need for permanent on going additional staffing in the Accounts Payable and/or Accounting areas as a result of G.S.T. be prepared at a later date.
- 14. (a) That, in order to allow the Regional Engineering Department to proceed on the City's behalf with the 1991 Reconstruction Program on local roads, City Council approve the program, as presented to the Transport and Environment Committee 1990 November 19, in the estimated amount of \$9 400 000 with the understanding the gross cost to the City before application of the Roadway Subsidy will not exceed \$4 000 000.
- (b) That the net cost in the amount of \$2 720 000 (gross cost of \$4 000 000 less roadway subsidy \$1 280 000) be financed from the 1991 Capital Levy.

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15. That the Reserve for Emergency Snow Removal, which was set up to absorb overbudget expenditures in snow control due to unusually heavy snowfalls, be expanded to include "storm damage" in the forestry section of Public Works, and renamed "Reserve for Snow Control and Storm Damage".

16. (a) That the Treasurer be authorized to implement the following user fees for services performed by the Treasury Department, effective 1991 January 1:

	<u>1990</u> <u>Fee</u>	<u>1991</u> <u>Fee</u>
i) Tax Certificates	\$10.00	\$15.00
ii) Local Improvement Enquiries	\$20.00	\$21.00
iii) Subdivision Compliance Letters	\$20.00	\$21.00

- (b) That the City Solicitor be authorized and directed to prepare a By-law to amend By-law 71-69 to provide for the increase in the fee charged for the issuance of a Treasurer's Tax Certificate to \$15.00 for presentation to City Council.

- (c) That these fees be increased annually for the rate of inflation rounded to the next dollar, to offset the City's administrative and processing costs in handling these items.

17. (a) That Licensing By-law No. 79-323, as amended, be further amended to provide for rooftop advertising on taxi cabs.

- (b) That the City Solicitor be authorized and directed to prepare a By-law to amend Licensing By-law No. 79-323 for submission to City Council to reflect this provision for rooftop advertising.

18. That the following resolution of the Town of Oakville concerning Native Rights, which was referred to the Finance and Administration Committee by City Council at its meeting held 1990 October 30, be endorsed:

"We the Members of Council for the Town of Oakville, Ontario, in the Region of Halton, urge the Federal Government to deal expeditiously, in a spirit of justice and respect for our First Nations, with ALL land claims and other matters in order to reach final honourable agreements, and that copies of the resolution be sent to the Prime Minister, the Member of Parliament for Oakville and the Minister of Indian and Northern Affairs."

19. That the resolution of the City of North York strongly opposing the implementation of the Goods and Services Tax at this time by the Federal Government, which was referred to the Finance and Administration Committee by City Council at its meeting held 1990 October 30 for consideration and recommendation, be received.
20. (a) That a civic reception be provided to the performers, dignitaries and special guests of the 17th Annual Hamilton International Air Show to be held at Hamilton Civic Airport 1991 June at a cost not to exceed \$9 000.
- (b) That this expenditure be financed from the 1991 budget allocation for Special Civic Receptions and Delegation Hosting.
21. That an invitation be extended to both Boards of Education and the Regional Municipality of Hamilton-Wentworth to participate in a special public meeting of the Finance and Administration Committee to be held on Saturday, 1990 December 15 at 10:00 o'clock a.m. at the Hamilton Convention Centre for the purpose of presenting an overview and forecast of the 1991 Current Budget Estimates of the City, Region and Boards of Education and receiving public input.
22. (a) That the Region/City cost-sharing recommendations of the Accessibility to Information Sub-Committee of the Regional Advisory Committee on the Physically Disabled contained in their Report dated 1990 April, attached hereto and marked Appendix "B", be endorsed.
- (b) That the following purchases be made and charged on a Region/City shared basis to the Assistive Devices Account No. 1-52901-199100 (Region) and Assistive Devices Account No. 53975-143400 (City):
- | | |
|----------------------------------|----------------|
| C.C.T.V. | \$5 000 |
| Table (Accessible, electric) | 1 500 |
| Ergonomic Chair | 500 |
| Cassette Audio Tapes (2) | 300 |
| Extended 2-year Service Contract | 195 |
| T.D.D. (for information line) | <u>710</u> |
| | <u>\$8 205</u> |
- (c) That the implementation on the use of the above-noted equipment be referred to the City Clerk and Regional Clerk.

11/27/90

- (d) That the cost of a Specialized Sound System for the Council Chambers and a portable system for Committee meetings at an estimated cost of \$8 000 (\$4 000 City/\$4 000 Region) be included as an Expansion Package in the 1991 Current Budget request.
- (e) That the cost of taping at an estimated cost of \$7 000 (\$3500 City/\$3 500 Region) be included as an Expansion Package in the 1991 Current Budget request.
- (f) That the Regional Municipality of Hamilton-Wentworth be so advised of the City's decision respecting the above-noted matters.

23. That leave be granted to introduce the following Bills:

- Bill H-115 A By-law to Amend Licensing By-law No. 79-323 As Amended by By-law Nos. 89-249 and 89-316 Respecting Illuminated Roof Sign for Taxi-Cabs.
- Bill H-116 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE, ACTING CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1990 November 22

EXHIBIT A

Changes to City's General Grant Application

THE CORPORATION OF THE CITY OF HAMILTON

GENERAL GRANT APPLICATION

Page 1
(Rev. 11/89)

Each organization applying for a grant is required to complete this form annually and forward same to Mr. D. K. Beattie, Grants Co-ordinator, Treasury Department, City Hall, 71 Main Street West, Hamilton, L8N 3T4 (telephone 546-2739), together with their supporting information indicated.

THE DEADLINE FOR SUBMISSION IS DECEMBER 31.

THE GRANTING OF ASSISTANCE IN ANY ONE YEAR OR OVER SEVERAL YEARS IS NOT TO BE INTERPRETED AS A COMMITMENT TO FUTURE YEARS' FUNDING.

In the event that more space is required in replying to any question, please use a supplementary sheet and attach to the application.

* a) Page 1 fourth paragraph "In the event that more space ... attach to application" be in bold lettering.

LIAISON PERSON _____ PHONE NO. _____

B. AMOUNT OF GRANT REQUEST: \$ _____

C. PURPOSE OF GRANT: (Indicate)

_____ CONTINUING GENERAL ACTIVITIES (OPERATING)
_____ CAPITAL
_____ ONE TIME - SPECIFIC PURPOSE

D. IF OPERATING GRANT, CALCULATE THE CITY'S CONTRIBUTION AS A PERCENTAGE OF YOUR TOTAL OPERATING BUDGET:

	AMOUNT	%
- OPERATING BUDGET - NOT INCLUDING GRANT REQUEST.....\$	_____	_____
- CITY'S CONTRIBUTION (GRANT REQUEST).....\$	_____	_____
TOTAL OPERATING BUDGET	\$ _____	100% -----

NOTE: In most cases the approved grant may be limited to a maximum of 25% of the total operating budget after the initial grant year. The total operating budget must include any relevant charges for City property rentals and cost recovery of services.

FOR CITY USE ONLY

RECOMMENDATION

1) GRANTS REVIEW GROUP	2) FINANCE AND ADMIN- ISTRATIVE COMMITTEE	3) APPEAL	4) CITY COUNCIL
\$ _____	\$ _____	\$ _____	\$ _____
CATEGORY _____	CATEGORY _____	CATEGORY _____	CATEGORY _____
DATE _____	DATE _____	DATE _____	DATE _____

GRANT PAYMENT

- UPON CITY COUNCIL APPROVAL	\$ _____	_____ / _____ (date/cheque #)
- OTHER DATE OR INSTALMENTS	\$ _____	_____ / _____
	\$ _____	_____ / _____
	\$ _____	_____ / _____

* b) Add "Arts organizations' applications will be reviewed initially by the Arts Advisory Sub-Committee" at the bottom of the page.

4. Do volunteers participate in your program?

No ____ Yes ____ If yes, please indicate number and type of involvement.

* → c) Page 3 #4 - to be reworded as follows:

"If yes, please indicate number of volunteers and number of volunteer hours of work contributed annually" and type of involvement.

6. Does your organization provide a service to:

(a) All citizens _____

(b) A specific group _____

(c) A specific area _____

Describe briefly:

* → d) #6 - Add in brackets beside (b) and (c) "(which group; explain in detail)" and delete the words "Describe briefly".

7. In what geographical area does your organization operate?

* → c) Ignore #7 - deleted. → Grants Review Group recommends that Question 7 remain as part of the application

GENERAL GRANT APPLICATION

Page 4
(Rev. 11/89)

8. For what purpose are the requested grant funds to be utilized within your organization? Be specific.

9. For what reason does your organization merit the use of public funds for the purpose indicated above?

10. a) Has the organization requested financial assistance in the last twelve months from other organizations, e.g. federal, Provincial, or Municipal Governments, Private Corporations, Foundations, etc? YES _____ NO _____

If Yes, complete the following:

<u>Date of Application</u>	<u>From Whom Requested</u>	<u>Amount Requested</u>	<u>Approved or Denied Amount</u>
----------------------------	----------------------------	-------------------------	----------------------------------

- f) Page 4 #10 - before the Note, add the following sentence: If no, please advise why other sources of funding have not been explored".

NOTE: YOU ARE ADVISED THAT CONSIDERATION WILL NOT BE GIVEN TO AN APPLICATION FOR FINANCIAL ASSISTANCE IF A SIMILAR APPLICATION HAS ALSO BEEN SUBMITTED TO THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH AND/OR AN ORGANIZATION THAT RECEIVES A SUBSIDIZED RENTAL RATE FOR USE OF A FACILITY OR FACILITIES UNDER THE JURISDICTION OF THE HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC.

- b) Are any funds outlined above conditional upon City assistance. If yes, what are the ramifications of the City denying a Grant?

11. What other steps are being taken to increase revenues? Examples should be given such as increasing your membership or admission fees.

- g) #11 - question listed should be part (a) and add part (b) as follows:

"(b) If your organization is experiencing a financial deficit situation, please explain and detail your plans for addressing the deficit.

GENERAL GRANT APPLICATION

Page 5
(Rev. 11/89)

12. Does this organization provide a service for which a charge is made? Some examples are admission fees, membership fees and rental charges. If answer is "yes", give details.

h) Page 5

#12 Add the following "If applicable, please detail your organization's admission fees, membership fees, rental charges and audience statistics".

13. Have you received funding from the City in prior years? If so, when and how much?

<u>Year</u>	<u>Requested Amount</u>	<u>Approved Amount</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

14. What are your estimated grant requests from the City of Hamilton for the next three years (exclusive of the present grant application year)?

<u>Year</u>	<u>Amount</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____

THE GRANTING OF ASSISTANCE IN ANY ONE YEAR OR OVER SEVERAL YEARS IS NOT TO BE INTERPRETED AS A COMMITMENT TO FUTURE YEARS' FUNDING.

NOTE: An organization receiving a grant will NOT automatically qualify for continuing funding, and will be subject to annual evaluation.

15. What are the consequences to your organization of receiving no funding from the City of Hamilton?

16. Will your organization ever be self-supporting? If yes, when?

If no, how will your service be continued if financial assistance is terminated in the future by the City?

* → i) Page 6 Delete #16 and insert the following in lieu thereof:

"What are your organization's plans for becoming more financially self-sufficient?" If you do not foresee an increase in financial self-sufficiency, what are your organization's goals for the future?"

17. Would your organization agree, subject to your availability and if requested by the City, to perform or otherwise provide your services at public functions or events, free of charge?

* → j) #17 should become a requirement of the grant and not a request.

THE CORPORATION OF THE CITY OF HAMILTON

(Rev. 11/89)

GENERAL GRANT POLICY

GRANTS TO OUTSIDE ORGANIZATIONS

CONTENTS

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2. POLICY GOAL AND OBJECTIVES	2-3
3. GENERAL CRITERIA FOR CONSIDERATION OF GRANTS	3-4
4. PROCESSING OF GRANT APPLICATIONS	5-7

EXHIBIT B

Changes to City's General Grant Policy: Please see page 4

THE CORPORATION OF THE CITY OF HAMILTON

GENERAL GRANTS POLICY

Page 4
(Rev. 11/89)

3. GENERAL CRITERIA FOR THE CONSIDERATION OF GRANTS - continued

Consideration Will Be Given To: - continued

5. The degree to which the City will be expected to contribute to the total funding of the program.
6. Projects that are essential to the citizens of the City which cannot be financed by private business or donations.
7. The nature of each project and the relationship of the project to the responsibility of City Council.

*→ Page 4

Under 3 - General Criteria for the Consideration of Grants that the following be added as item 8:

"8. Individuals and/or private organizations under the auspices of an established non-profit arts organization.

3. GENERAL CRITERIA FOR THE CONSIDERATION OF GRANTS - continued

Consideration Will Be Given To: - continued

5. The degree to which the City will be expected to contribute to the total funding of the program.
6. Projects that are essential to the citizens of the City which cannot be financed by private business or donations.
7. The nature of each project and the relationship of the project to the responsibility of City Council.

Consideration Will Not Be Given to:

1. A similar application which has also been submitted to the Regional Municipality of Hamilton-Wentworth.
2. Requests for grants to an individual, or to an individual group that is controlled by a parent organization (in this case the parent organization should apply for the grant, i.e., an association as opposed to a team).

Under "Consideration Will Not Be Given to", item 2 be changed to read as follows:

"2. Requests for grants to an individual, or to an individual group that is already under the control of a parent organization (in this case the parent organization should apply for the grant, i.e. an association as opposed to a team)."

DRAFT POLICIES - ACCESSIBILITY TO INFORMATION

April 1990

Prepared by: The Accessibility to Information Sub-Committee
Staff contact, Lindsey George 546-2185

Prepared for: The Regional Advisory Committee for the Physically
Disabled

BACKGROUND

The Regional Advisory Committee for the Physically Disabled became concerned about access to information services for disabled citizens during the fall of 1989, as we began to problem-solve how to provide information for a blind committee member. As a community, we have become more sensitive to the needs and rights of disabled citizens. It has become evident that ensuring access to local government for disabled citizens is a responsibility of local government which bears further development. Physically disabled citizens, while making up almost 10% of the population, are not well represented in the activities of local government. There are a number of reasons why this may be true:

- Disabled citizens are unable to take part in activities such as meetings because there are no services available to enable participation.

- Disabled citizens may not know what opportunities are available to them to participate.

- Disabled citizens may not be well informed about how local government works and, therefore, are not well prepared to take part in those activities.

Disabled citizens, as others, may of course choose not to participate in local government activities. It is the role of local government to ensure that all citizens have the same choices available to them. It is hoped that the implementation of these policies will enable greater participation, by disabled citizens, in local government.

Initiatives such as Long Term Care Reform and the changes proposed by the Report of the Provincial Municipal Social Services Review will require the direct input of consumers of services. As local governments take on greater responsibility for planning and meeting a broader range of the needs of our citizens, it becomes increasingly important for us to enable the input of as wide a range of interests as possible.

In October 1989, the Regional Advisory Committee for the Physically Disabled struck an Ad Hoc Access to Information Sub-Committee to

draft policies, procedures and a budget to facilitate access to information for blind, visually impaired, deaf and hard of hearing citizens. Although focused on a specific group of citizens, these policies actually serve the interests of a much wider group including persons with learning disabilities, those who are not literate and those whose physical disabilities make the act of reading extremely difficult. The recommendations of this report may, in fact, benefit the community as a whole by placing greater emphasis on informing the community of the activities of local government and encouraging citizen participation.

Local government has shown considerable leadership in continuing to promote accessibility for persons with mobility disabilities and in providing American Sign Language interpretation at council meetings. A continued commitment to accessibility will provide a model for the rest of the community in facilitating the integration of disabled citizens into community life.

DESCRIPTION OF THE PROBLEM

Citizens have a right to and a need for information about local government activities and the opportunity to participate in such activities of local government as they feel are of concern to them. In order to ensure that everyone has reasonable access to local government activities, it is necessary to deal with three areas:

- Provide information in a form that is easily understood and easily accessible.
- Ensure that citizens who choose to are able to participate in local government activities.
- Ensure that citizens are informed about the opportunities available to them to participate in local government activities.

The increasing emphasis on maintaining disabled and senior citizens in the community, and in particular the Provincial Long Term Care Reform, indicate a growing need to facilitate access to information and local government activities. There is likely to be an increase in the number of citizens who will remain in the community and want, and need, to advocate on their own behalf. They will require information about issues, services and resources and have the opportunity to attend public meetings about community issues such as the East-West Corridor, Sunday shopping, Bingo licensing and accessible taxi licensing.

The increasing wellness of seniors, despite vision and hearing loss, means that more seniors are becoming active in community affairs. This is also true of young disabled persons, as more and more are able to live independently in the community and are active in the voluntary sector. These community volunteers relate to local government in a number of ways and need to be informed about local government activities in order to play a role in community affairs.

Although it is difficult to assess demand, there is information available about the incidence of disabilities within the Region. It should be noted that disability rates should be used with caution. There is a tendency towards under-reporting, particularly amongst those whose vision and hearing is deteriorating over time and who do not label themselves as disabled.

Profile of Deaf, Hard of Hearing, Visually Impaired and Blind Persons - 1986

Deaf and Hard of Hearing Persons make up 10% of the population. In Hamilton-Wentworth, this means that approximately 42,000 persons are deaf or hard of hearing. Hearing loss is the largest chronic disability among seniors, with a reported 60% having a clinically significant hearing loss. There are 63,000 seniors living in the Hamilton-Wentworth Region.

Blind and Visually Impaired Persons. There are reportedly approximately 2,400 persons (between 15 and 64 years) living in Hamilton-Wentworth who have visual impairments. There are 1,272 blind persons registered with the C.N.I.B. in Hamilton-Wentworth. There are 14,780 disabled seniors living in the Region. We could expect approximately 14% (over 2,000) of these persons to experience functional limitations in their visual capacity.

*figures from the Canadian Hearing Society, the Canadian National Institute for the Blind, the Office for Disabled Persons (1989) and the Health and Activity Limitation Survey (StatsCan 1986).

To enable access for these citizens local government must find alternative ways of communicating and providing information. Other municipalities have dealt with the issues in a number of ways:

- Providing a portable audio-amplification system.
- Installation of audio-amplification systems into council chambers.
- Business cards in braille.
- Large print versions of minutes, agendas reports and publications.
- Taped versions of minutes, agendas, reports and publications.
- A coordinator of services for the disabled on staff.
- A full time ASL interpreter for deaf persons or contracting for ASL interpretation as needed.
- Tax assessments in large print.
- Telephone Devices for the Deaf (T.D.D.'s).
- Braille versions of reports, agendas and minutes.

RECOMMENDATIONS

To facilitate access to information for visually impaired persons:

1. Purchase of a CCTV with electrically adjustable table and chair. A CCTV is a viewer that magnifies copy up to 60 times and allows visually impaired persons to read materials such as invoices, brochures, reports, books, and minutes. The CCTV should be placed in a central location that will provide access for a range of citizens needs of local government.

2. Purchase of a CCTV for the Resource Centre for the Disabled at the Hamilton Public Library. This equipment is likely to be purchased this year by the library. The CCTV will facilitate viewing of council and committee packages which will be stored at the Resource Centre for the Disabled for ease of access by the public.

3. Large print versions of minutes and agenda packages be provided to the public through the Resource Centre for the Disabled at the Hamilton Public Library. These will be provided as they are available and kept for between three and six months, dependent on storage considerations. Citizen requests for information in large print, in addition to these, can be provided through the Clerk's Department (for example, reports and background information).

4. Large print versions of committee packages automatically be available for visually impaired committee members and provided through the Clerk's Department.

To facilitate access for blind, non-literate and learning disabled citizens:

5. Taped versions of minutes and agendas be available for listening at the Resource Centre for the Disabled at the Hamilton Public Library. The taping of these materials be contracted out and an evaluation of the cost effectiveness and efficiency of contracting out be undertaken during the first twelve months.

6. Taped versions of reports and attachments from committees and council be provided, on request, through the Clerk's Department. As we cannot assess the demand for this type of service, this work be contracted out and an evaluation of the cost effectiveness and efficiency of the service be undertaken during the first twelve months. The alternative may be to provide these services "in-house".

7. Taped versions of committee packages automatically be made for committee members. This work should be organized by the Clerk's

Department and contracted out and evaluated in conjunction with #5 and #6.

8. Braille versions of agendas, minutes and reports be provided on request. This work be contracted out to the Canadian National Institute for the Blind.

To facilitate access for deaf citizens:

9. American Sign Language (ASL) interpreters be provided for all public or committee meetings on request from citizens. In order to facilitate this (because of the shortage of interpreters), notice of meetings will have to be made, and requests received, three weeks in advance of the meeting.

10. American Sign Language interpreters be situated at council meetings so that the audience within council chambers, as well as the TV audience, can see the interpreters.

11. American Sign Language interpreters automatically be provided for all committees of which deaf citizens are members and this be arranged through the Clerk's Department by the committee secretary. The Canadian Hearing Society provides a booking service.

12. Local government assess, over a twelve month period, the demand for ASL services to consider the cost effectiveness of having an interpreter on staff. The cost may be shared between participating municipalities and the Region.

13. Local government provide T.D.D. services and the number be publicized on letterhead, information directories and the telephone directory and the number be placed on local government ads. As no record has been kept regarding the demand for T.D.D. access, the committee has recommended purchasing one new machine during 1990. The machine will be placed in the Regional Social Services Department. Calls will be monitored to evaluate where in the organization T.D.D.'s may be necessary.

To facilitate access for hard of hearing citizens:

14. A portable audio-listening system be available for all meetings. Two days notice will be necessary to set up the equipment. Notice should be given to the Clerk's Department.

15. An audio-listening system be installed in council chambers. An installed system is necessary in larger meeting rooms. A portable system would not accomodate the area of the council chambers.

To facilitate access to information about opportunities for participation:

16. Committee and public meetings be publicized in an auditory as well as a visual manner. For example, using Cable 14's Bulletin Board or "News on the Air" program or accessing the SPECTEL program of the Hamilton Spectator.

17. That a publicity campaign announce the new access to information policies.

18. There be a telephone information line, with both voice and T.D.D. numbers, which gives recorded information about upcoming council, committee and public meetings. This type of service is a cost efficient way of providing information to the public. (see attachment)

To facilitate participation in local government activities:

19. Local government hold public information sessions, in the community, before each new term begins. These sessions would inform disabled (and other) citizens of the opportunities for membership or participation on committees, how committees work, what they do and how members are selected.

FINANCIAL CONSIDERATIONS

Capital Costs (estimated):

CCTV	\$5,000.00
Table (accessible, electric)	1,500.00
Chair (ergonomic)	500.00
T.D.D. (already purchased)	710.00
Tapes	300.00
Tape recorders (2)	150.00
Specialized Sound System (approx.) for council portable	9,305.00
T.D.D. (for information line)	710.00

Total	\$18,176.00

Service Costs (estimated/year):\

CCTV	195.00
------	--------

Labour Costs:

- Taping costs at \$10 - \$12 per hour of playing time
- estimate 20 hours/month for library taping
 - estimate 20 hours/month for committee members taping
 - estimate 8 hours/month citizen requests

maximum	7,000.00
Telephone information line (annual)	500.00

Total	7,500.00

<u>Total Expenses Year One</u>	\$25,871.00
--------------------------------	-------------

It is suggested that the Region fund the policies for immediate implementation, cost sharing with the City of Hamilton as appropriate, and recovering capital costs from funds set aside and remaining unspent from the 1990 budget.

The following items could be used and, therefore, may be cost shared between the Region and the City of Hamilton:

- CCTV
- portable sound system
- auditorium sound system (council chambers)
- cost of the telephone information line (and T.D.D.)

CA40N HBLA05

A31

URBAN/MUNICIPAL

1990

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

*Avonbridge
Ashcroft
Amblecote
Alconbury
Ambridge
Avonmore
Astonwood
Alconbury
San Remo
Hunter

Westbound
Westbound
Northbound
Northbound
Eastbound
Eastbound
Eastbound
Southbound
Northbound and Southbound
Westbound

Rexford
Rexford
Ashcroft
Ashcroft/Attfield
Alconbury
Alconbury
Rexford
Rexford
San Antonio
Poulette*.

PASSED THIS

DAY OF

, A.D. 19

CITY CLERK

MAYOR

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 3b (One Hour Limit)** the following item, namely:-

"Mary	East	Wilson to Rebecca".
-------	------	---------------------

and by adding thereto the following item, namely:-

"Mary	East	commencing at a point 73 feet south of Wilson to a point 72 feet north of Rebecca".
-------	------	-------------------------------------------------------------------------------------

2. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"West 33rd	Both	Bendamere to Leslie".
------------	------	-----------------------

- b) adding to **Section 14 (One Hour Limit)** the following item, namely:-

"Delmar	South	Cambria to Geneva".
---------	-------	---------------------

3. **Schedule 25B (Parking Time Limits)** is hereby amended:

- a) by deleting from **Section 4 (One Hour Limit)** the following item, namely:-

"West 33rd	Both	Bendamere to Leslie".
------------	------	-----------------------

and by adding thereto the following item, namely:-

"Ray	East	Jackson to Canada".
------	------	---------------------

- b) by adding to **Section 3 (One Hour Limit)** the following item, namely:-

"Mary	East	Wilson to 73 feet south".
-------	------	---------------------------

4. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Burland (north leg)	South	from the east curb line of the west leg to a point 124 feet easterly therefrom
----------------------	-------	--------------------------------------------------------------------------------

Burland (west leg)	East	from the south curb line of the north leg to a point 83 feet southerly therefrom".
--------------------	------	------------------------------------------------------------------------------------

and by deleting therefrom the following item, namely:-

"Northgate	West	from the south end to 45 feet north".
------------	------	---------------------------------------

5. **Schedule 34 (Sticker Permit Parking)** is hereby amended by adding thereto the following items, namely:-

"Woodbine	North	commencing at a point 398 feet west of York Blvd. to a point 22 feet westerly therefrom	Anytime
Princess	South	Earl to Sherman	Anytime
Princess	North	Earl to a point 134 feet west of Sherman	Anytime
Grosvenor	West	commencing at a point 300 feet north of Dunsmure to a point 20 feet northerly therefrom	Anytime".

and by deleting therefrom the following items, namely:-

"Princess	Both	Earl to Sherman	Anytime
Ray	East	Jackson to Canada	Anytime
Grosvenor	West	commencing at a point 236 feet north of Dunsmure to a point 23 feet northerly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

- CCTV
- portable sound system
- auditorium sound system (council chambers)
- cost of the telephone information line (and T.D.D.)

C440N HBLA05

123

URBAN/MUNICIPAL

1990

BILL NO.-A - 137

BY-LAW NO. 90 -

URBAN MUNIC. CL.

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

NOV 10 1990

GOVERNMENT DOCUMENTS

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

*Avonbridge
Ashcroft
Amblecote
Alconbury
Ambridge
Avonmore
Astonwood
Alconbury
San Remo
Hunter

Westbound
Westbound
Northbound
Northbound
Eastbound
Eastbound
Eastbound
Southbound
Northbound and Southbound
Westbound

Rexford
Rexford
Ashcroft
Ashcroft/Attfield
Alconbury
Alconbury
Rexford
Rexford
San Antonio
Poulette*.

PASSED THIS

DAY OF

, A.D. 19

CITY CLERK

MAYOR

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting from **Section 3b (One Hour Limit)** the following item, namely:-

"Mary	East	Wilson to Rebecca".
-------	------	---------------------

and by adding thereto the following item, namely:-

"Mary	East	commencing at a point 73 feet south of Wilson to a point 72 feet north of Rebecca".
-------	------	-------------------------------------------------------------------------------------

2. **Schedule 25A (Parking Time Limits)** is hereby amended:

- a) by adding to **Section 5 (One Hour Limit)** the following item, namely:-

"West 33rd	Both	Bendamere to Leslie".
------------	------	-----------------------

- b) adding to **Section 14 (One Hour Limit)** the following item, namely:-

"Delmar	South	Cambria to Geneva".
---------	-------	---------------------

3. **Schedule 25B (Parking Time Limits)** is hereby amended:

- a) by deleting from **Section 4 (One Hour Limit)** the following item, namely:-

"West 33rd	Both	Bendamere to Leslie".
------------	------	-----------------------

and by adding thereto the following item, namely:-

"Ray	East	Jackson to Canada".
------	------	---------------------

- b) by adding to **Section 3 (One Hour Limit)** the following item, namely:-

"Mary	East	Wilson to 73 feet south".
-------	------	---------------------------

4. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Burland (north leg)	South	from the east curb line of the west leg to a point 124 feet easterly therefrom
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Burland (west leg)	East	from the south curb line of the north leg to a point 83 feet southerly therefrom".
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and by deleting therefrom the following item, namely:-

"Northgate	West	from the south end to 45 feet north".
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5. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following items, namely:-

"Woodbine	North	commencing at a point 398 feet west of York Blvd. to a point 22 feet westerly therefrom	Anytime
Princess	South	Earl to Sherman	Anytime
Princess	North	Earl to a point 134 feet west of Sherman	Anytime
Grosvenor	West	commencing at a point 300 feet north of Dunsmure to a point 20 feet northerly therefrom	Anytime".

and by deleting therefrom the following items, namely:-

"Princess	Both	Earl to Sherman	Anytime
Ray	East	Jackson to Canada	Anytime
Grosvenor	West	commencing at a point 236 feet north of Dunsmure to a point 23 feet northerly therefrom	Anytime".

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 480 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District, the lands comprised in Blocks 1, 2, 3 and 7; and
- (b) by changing from "AA" (Agricultural) District to "R-4"- 'H' (Small Lot Single-Family Detached - Holding) District, the land comprised in Block 4; and
- (c) by changing from "AA" (Agricultural) District to "RT-20"- 'H' (Townhouse - Maisonette - Holding) District, the land comprised in Block 5; and
- (d) by changing from "B-2" (Suburban Residential) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 6,

the extent and boundaries of each of which Blocks 1, 2, 3, 4, 5, 6 and 7 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District, "R-4" (Small Lot Single-Family Detached) District and "RT-20" (Townhouse - Maisonette) District referred to in section 1 shall be subject to the special requirement that,

- (a) upon the availability of all such municipal sewers serving the subject lands as the City deems necessary, the 'H' symbol shall be removed by amendment to this by-law, and the development of the lands referred to in section 1 may proceed in accordance with the "C" District, "R-4" District and "RT-20" District provisions.

3. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block 7, referred to in section 1(a), are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9(4) of By-law No. 6593, a lot width of not less than 10 m and a lot area of not less than 300 m² shall be permitted for the lot located at the northwest corner of Claudette Gate and Roland Road.

4. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the land comprised in Block 5, referred to in section 1(c), are amended to the extent only of the special requirements that,

- (a) Section 10E(2)(a)(3) of By-law No. 6593 shall not apply;
- (b) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly and westerly boundaries of Block 5.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District and "RT-20" District provisions, subject to the special requirements referred to in sections 2 and 3.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1195.

7. Sheet No. W-27D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1195.

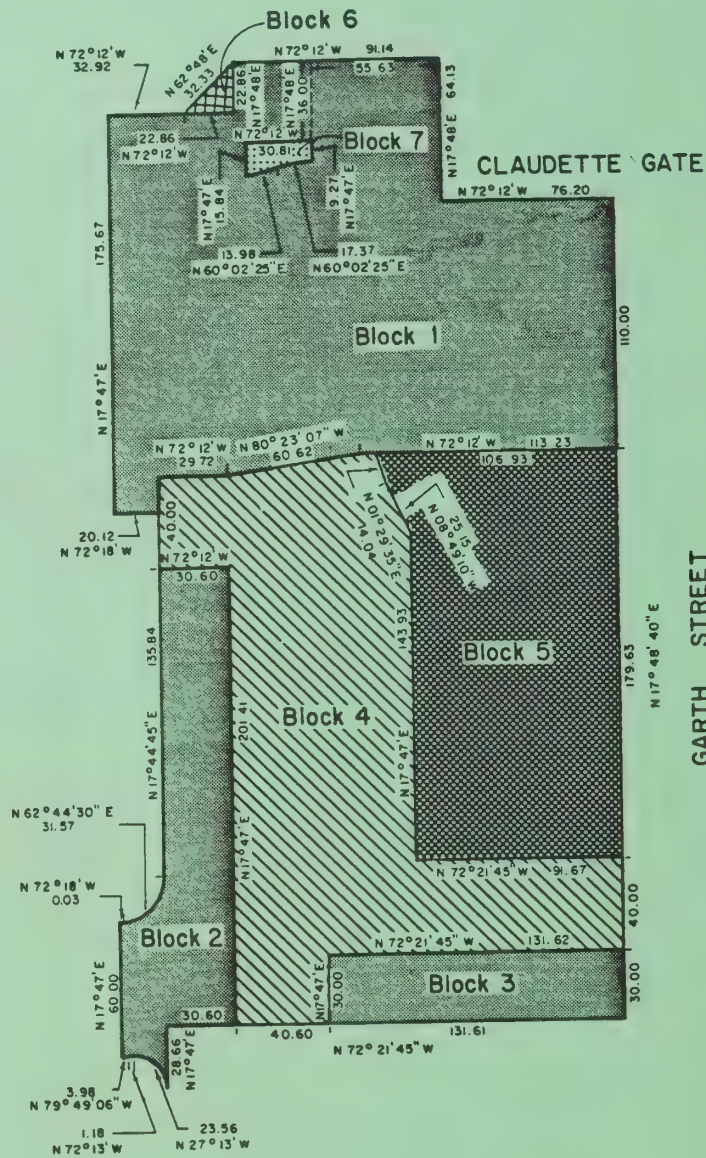
8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 17 R.P.D.C. 9, October 9
880064 Ontario Inc. (A. DiSilvestro), Owner
Amended ZA-90-09



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....
Passed the day of, 1990.

.....
Clerk

.....
Mayor

City of Hamilton






Schedule A

Map Forming Part of
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

-  **Blocks 1, 2 & 3** Change in zoning from "AA" (Agricultural) District to "C"-H" (Urban Protected Residential, etc.-Holding) District.
-  **Block 4** Change in zoning from "AA" (Agricultural) District to "R-4"-H" (Small Lot Single-Family Detached-Holding) District.
-  **Block 5** Change in zoning from "AA" (Agricultural) District to "RT-20"-H" (Townhouse-Maisonette-Holding) District.
-  **Block 6** Change in zoning from "B-2" (Suburban Residential) District to "C"-H" (Urban Protected Residential, etc.-Holding) District.
-  **Block 7** Change in zoning from "AA" (Agricultural) District to "C"-H" (Urban Protected Residential, etc.-Holding) District, modified.

North



Scale
NOT TO SCALE

Reference File No.
ZA 90 - 09

Date
NOVEMBER, 1990

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 694 AND 696 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 93, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-8 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 14(1) of By-law No. 6593, only the following uses shall be permitted, only within the building existing at the date of the passing of this by-law:

(i) RESIDENTIAL USES:

- 1. Single-family dwelling;
- 2. One dwelling unit in the same building with a permitted commercial use.

(ii) COMMERCIAL USES:

- 1. Business or professional person's office;
- 2. Photographer's or artist's studio but not including a motion picture studio;

3. Barbershop, hairdressing establishment, beauty parlour, physical fitness studio, reducing salon, shoeshine parlour or other like establishment;
4. Retail store selling:
 - a) wearing apparel and accessories;
 - b) furniture, home furnishings, appliances;
 - c) antiques;
 - d) books and stationery;
 - e) tobacco, gifts, novelties, souvenirs, newspapers and magazines;
 - f) cameras and photographic supplies;
 - g) jewellery;
 - h) flowers, plants and like goods sold or offered for sale by a florist;
 - i) sale and dispensing of optical goods;
 - j) computer sales and service;
 - k) musical instruments sales and service;
 - l) photocopy service;
5. Retail drug store;
6. Food store;
7. Retail variety store;
8. Showroom or sample room including such a room to deal with bona fide antiques, but not including a second-hand shop, pawnbroker shop, retail shop for the sale of plumbing supplies or fixtures or a pet shop;
9. Commercial lending library or art gallery.

(iii) INSTITUTIONAL USE:

1. Day nursery.

(iv) PUBLIC USES:

1. Library;
2. Art gallery.

(v) ACCESSORY USE:

1. A wall, ground or projecting sign that complies with the following requirements:
 - a) no sign shall exceed 1.2 metres in vertical dimension or 2.2 metres in area; and
 - b) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;

- (b) no extensions or enlargements of the building existing at the date of the passing of the by-law shall be permitted;
- (c) notwithstanding Section 18A(1) of By-law No. 6593, the following parking requirements shall be provided and maintained:
 - (i) one space for each dwelling unit;
 - (ii) one space for every six children lawfully accommodated in a day nursery;
 - (iii) one space for every 19 m² for a medical office, including a doctor, dentist, drugless practitioner, osteopath;
 - (iv) one space for every 31 m² of floor area for all other permitted uses;
- (d) a landscaped strip not less than 1.5 m in width shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial, institutional or public use;
- (e) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial, institutional or public use;
- (f) all lighting facilities at the rear of the property shall be so installed and maintained as to ensure that the light is deflected away from all adjacent residential uses;
- (g) in the event that the existing building is destroyed or demolished, it may be replaced only by a building having the same external dimensions as the building which it replaces and the replacement building shall not have more than two storeys plus a basement.

3. No building or structure shall be erected or altered, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1196.

5. Sheet No. W-8 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1196.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

day of

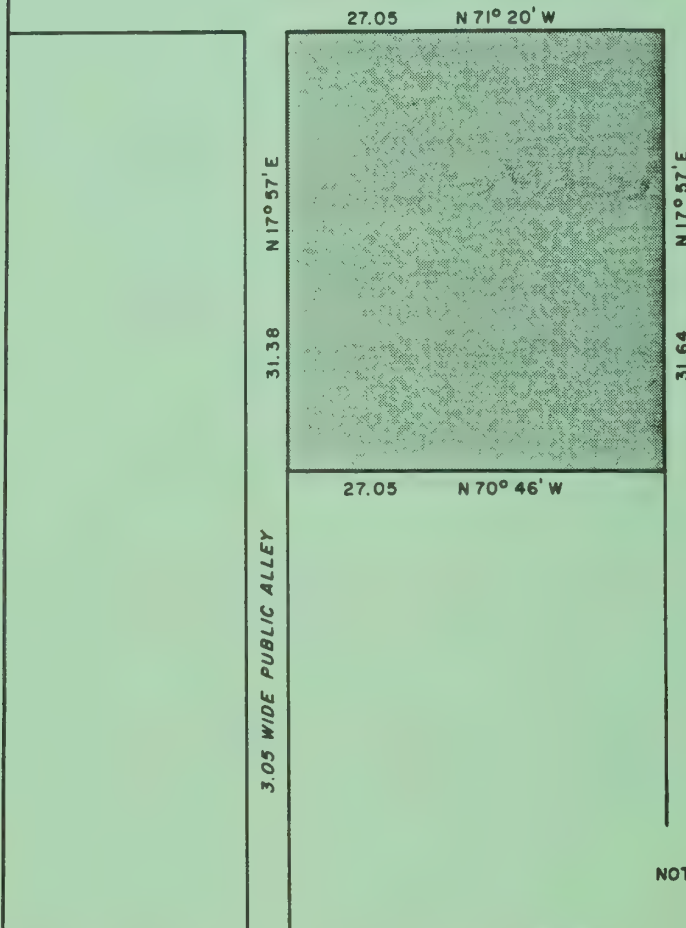
A.D. 1990.

City Clerk

Mayor

(1990) 17 R.P.D.C. 11, October 9
 R.H.B. Murray and M.A. Murray, Owners
 ZA-88-124

McELROY ROAD WEST



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-
PASSED THE _____ DAY OF _____ 1990

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 90-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND



CHANGE IN ZONING FROM "C" (URBAN
PROTECTED RESIDENTIAL, ETC.) DISTRICT
TO "H" (COMMUNITY SHOPPING AND
COMMERCIAL, ETC.) DISTRICT, MODIFIED.

North



Scale

NOT TO SCALE

Reference File No.

ZA 88-124

Date

OCTOBER 1990

Drawn By

Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 694 AND 696 UPPER JAMES STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

134. Lands located at Municipal Nos. 694 and 696 Upper James Street, shown on Appendix 134 hereto annexed and forming part of this by-law.

2. Appendix 134 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

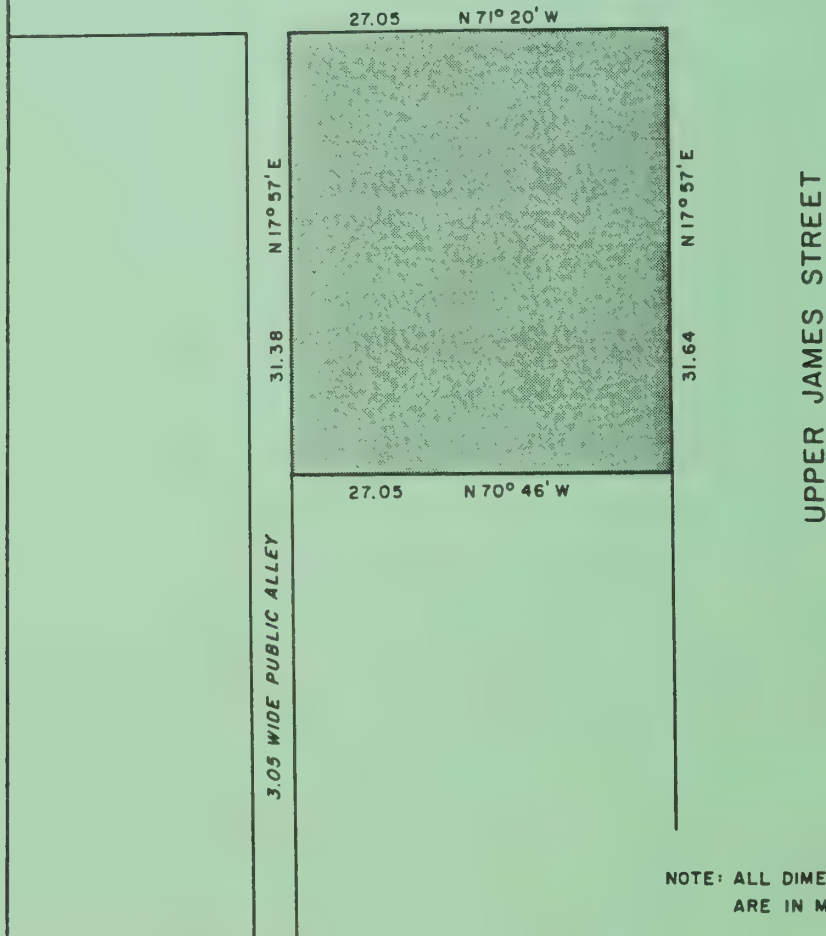
PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 17 R.P.D.C. 11(d), October 9
R.H.B. Murray and M.A. Murray, Owners
ZA-88-124

McELROY ROAD WEST



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-
PASSED THE _____ DAY OF _____ 1990

Clerk

Mayor

CITY OF HAMILTON
APPENDIX 134
TO BY-LAW NO. 79-275

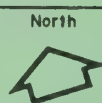
AS AMENDED BY
BY-LAW NO. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND



LANDS DESIGNATED UNDER THIS BY-LAW
AS AN AREA OF SITE PLAN CONTROL
PURSUANT TO SECTION 40 OF THE
PLANNING ACT.



North

Scale
NOT TO SCALE

Date
OCTOBER 1990

Reference File No.
ZA 88-124

Drawn By
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 710 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 94, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-8 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "H" (Community Shopping and Commercial, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 14(1) of By-law No. 6593, only the following uses shall be permitted, only within the building existing at the date of the passing of this by-law:

(i) RESIDENTIAL USES:

- 1. Single-family dwelling;
- 2. One dwelling unit in the same building with a permitted commercial use.

(ii) COMMERCIAL USES:

- 1. Business or professional person's office;
- 2. Photographer's or artist's studio but not including a motion picture studio;

3. Barbershop, hairdressing establishment, beauty parlour, physical fitness studio, reducing salon, shoeshine parlour or other like establishment;
 4. Retail store selling:
 - a) wearing apparel and accessories;
 - b) furniture, home furnishings, appliances;
 - c) antiques;
 - d) books and stationery;
 - e) tobacco, gifts, novelties, souvenirs, newspapers and magazines;
 - f) cameras and photographic supplies;
 - g) jewellery;
 - h) flowers, plants and like goods sold or offered for sale by a florist;
 - i) sale and dispensing of optical goods;
 - j) computer sales and service;
 - k) musical instruments sales and service;
 - l) photocopy service;
 5. Retail drug store;
 6. Food store;
 7. Retail variety store;
 8. Showroom or sample room including such a room to deal with bona fide antiques, but not including a second-hand shop, pawnbroker shop, retail shop for the sale of plumbing supplies or fixtures or a pet shop;
 9. Commercial lending library or art gallery.
- (iii) INSTITUTIONAL USE:
1. Day nursery.
- (iv) PUBLIC USES:
1. Library;
 2. Art gallery.
- (v) ACCESSORY USE:
1. A wall, ground or projecting sign that complies with the following requirements:
 - a) no sign shall exceed 1.2 metres in vertical dimension or 2.2 metres in area; and
 - b) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;

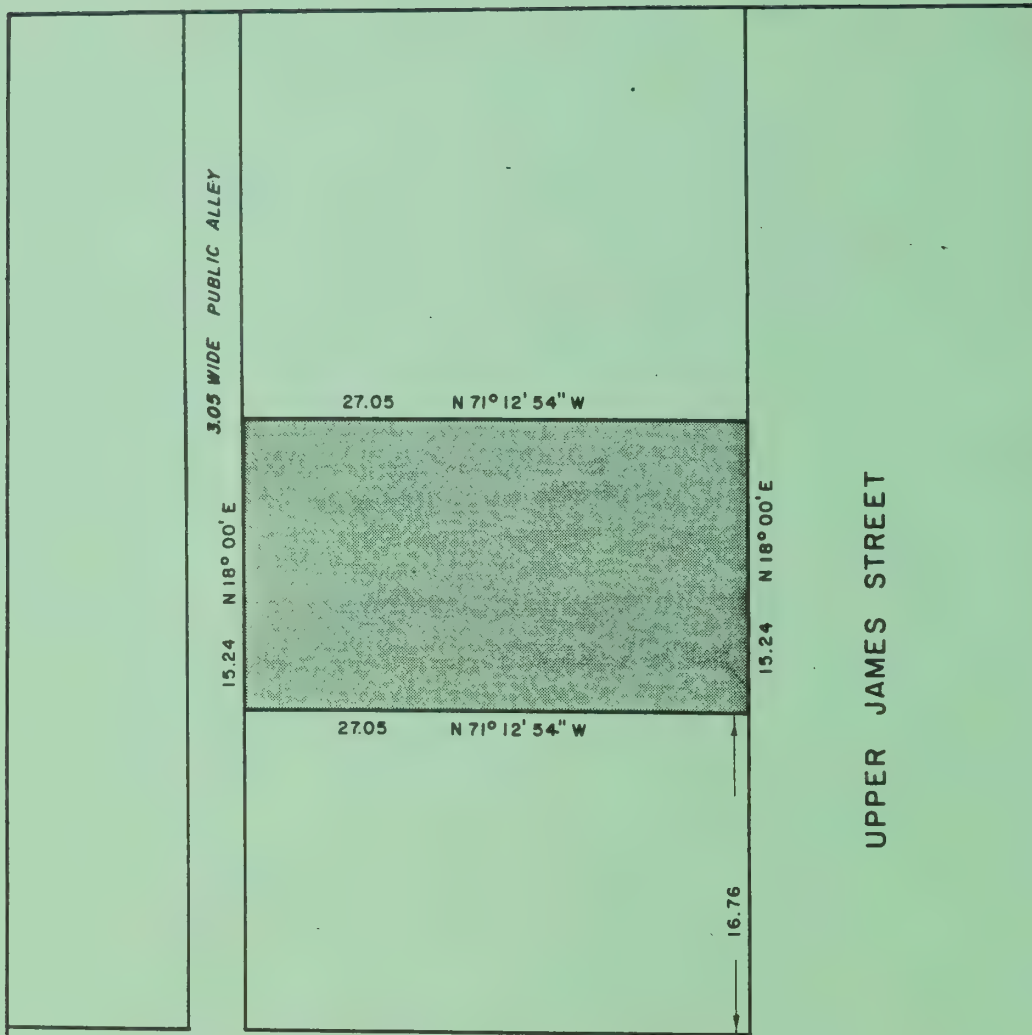
- (b) no extensions or enlargements of the building existing at the date of the passing of the by-law shall be permitted;
 - (c) notwithstanding Section 18A(1) of By-law No. 6593, the following parking requirements shall be provided and maintained:
 - (i) one space for each dwelling unit;
 - (ii) one space for every six children lawfully accommodated in a day nursery;
 - (iii) one space for every 19 m² for a medical office, including a doctor, dentist, drugless practitioner, osteopath;
 - (iv) one space for every 31 m² of floor area for all other permitted uses;
 - (d) a landscaped strip not less than 1.5 m in width shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial, institutional or public use;
 - (e) a visual barrier not less than 1.2 m and not more than 2.0 m in height shall be provided and maintained along the entire westerly lot line where the building has been converted to a commercial, institutional or public use;
 - (f) all lighting facilities at the rear of the property shall be so installed and maintained as to ensure that the light is deflected away from all adjacent residential uses;
 - (g) in the event that the existing building is destroyed or demolished, it may be replaced only by a building having the same external dimensions as the building which it replaces and the replacement building shall not have more than two storeys plus a basement.
3. No building or structure shall be erected or altered, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1197.
5. Sheet No. W-8 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1197.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 17 R.P.D.C. 12, October 9
Katherine Murray, Owner
ZA-90-31



SOUTH BEND ROAD WEST

NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-_____
PASSED THE _____ DAY OF _____ 1990

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"
MAP FORMING PART OF

BY-LAW NO. 90-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND



CHANGE IN ZONING FROM "C" (URBAN
PROTECTED RESIDENTIAL, ETC.) DISTRICT
TO "H" (COMMUNITY SHOPPING AND
COMMERCIAL, ETC.) DISTRICT, MODIFIED.

North



Scale

NOT TO SCALE

Reference File No.

ZA 90-31

Date

OCTOBER 1990

Drawn By

Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 710 UPPER JAMES STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 40 of the Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

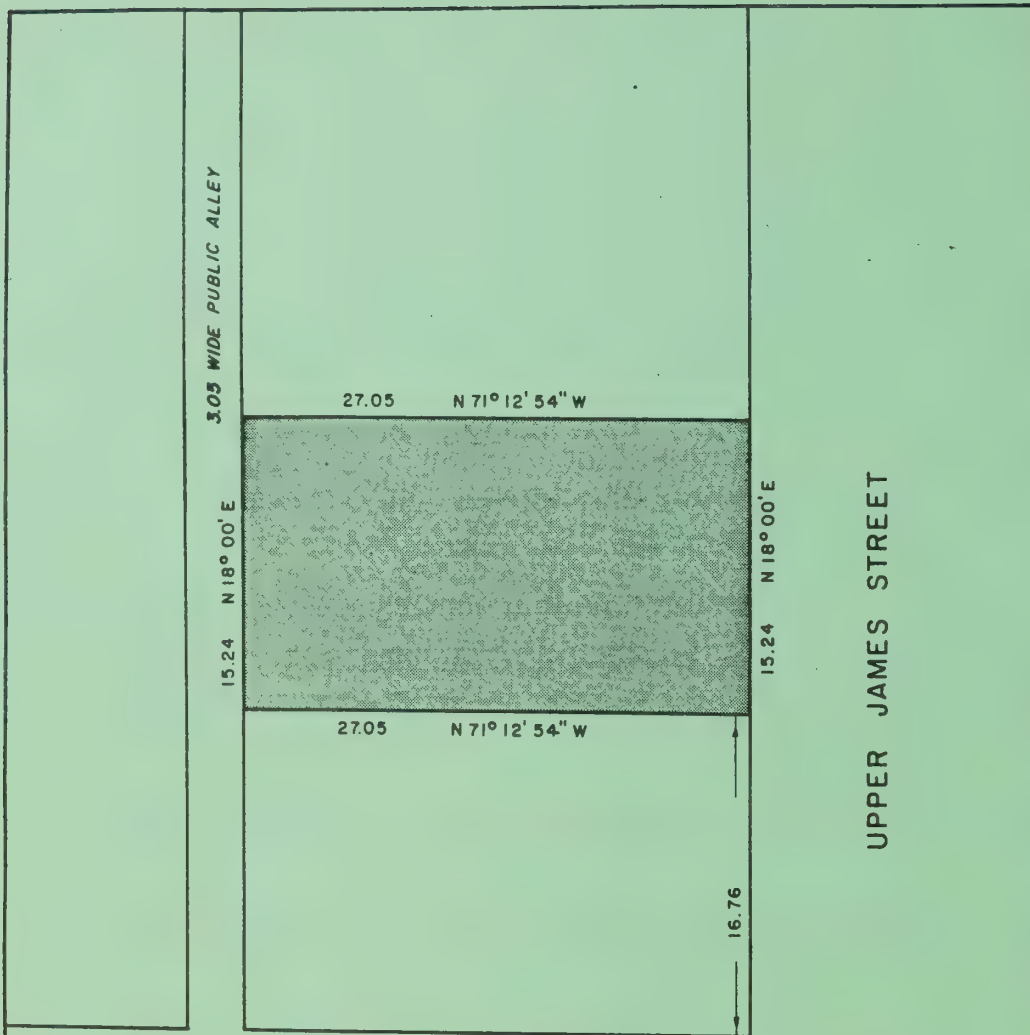
135. Land located at Municipal No. 710 Upper James Street, shown on Appendix 135 hereto annexed and forming part of this by-law.

2. Appendix 135 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this day of A.D. 1990.

City Clerk

Mayor



SOUTH BEND ROAD WEST

NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-_____
PASSED THE _____ DAY OF _____ 1990

Clerk

Mayor

CITY OF HAMILTON
APPENDIX 135
TO BY-LAW NO. 79-275

AS AMENDED BY
BY-LAW NO. 87-223

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND



LANDS DESIGNATED UNDER THIS BY-LAW
AS AN AREA OF SITE PLAN CONTROL
PURSUANT TO SECTION 40 OF THE
PLANNING ACT.

North



Scale

NOT TO SCALE

Reference File No.

ZA 90-31

Date

OCTOBER 1990

Drawn By

Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Adopt:

Official Plan Amendment No. 95

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1280 RYMAL ROAD EAST
WITHIN THE HANNON WEST NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 95 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 18 R.P.D.C. 6(a), October 30
Allan John Beattie, Owner
Amended ZA-90-54

AMENDMENT NO. 95
TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 95.

PURPOSE

The purpose of this Amendment is to establish a "Special Policy Area" to permit limited commercial uses within the Industrial designation, for the subject lands.

LOCATION

The subject lands are known municipally as 1280 Rymal Road East, within the Hannon West Neighbourhood.

BASIS

The basis for permitting the proposal, to develop the subject lands for a hardware store and a lawn and garden centre, is as follows:

- the subject lands are suitably located on a major arterial road; and,
- the proposal will not conflict with the mix of established uses in the area.

ACTUAL CHANGES

- 1) The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.50:

"In addition to the permitted uses set out in Subsection A.2.3 - Industrial Uses and Policy A.2.9.3.9, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 55, and located at 1280 Rymal Road East, limited commercial uses will be permitted."

2) The following be added to Schedule "B" - Special Policy Areas:

- Special Policy Area 55; and,
 - "Area 55 refer to Policy A.2.9.3.50", in the legend,
- as shown on the attached Schedule "B" of this Amendment.

IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 90- , passed on the day of , 1990.

**THE CORPORATION OF THE
CITY OF HAMILTON**

City Clerk

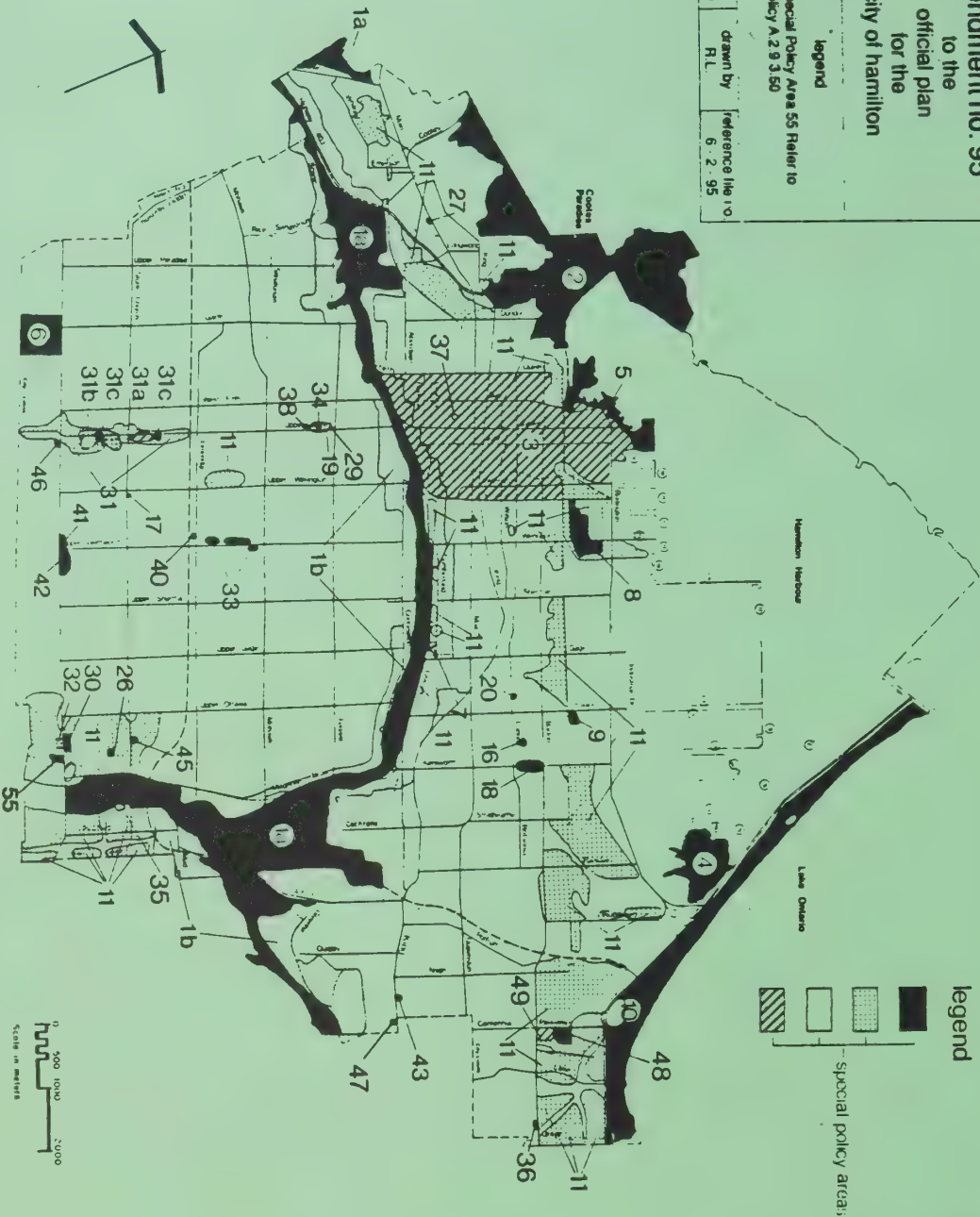
Mayor

KWE/

schedule B **amendment no. 95** to the **official plan** for the **city of hamilton**

legend
Special Policy Area 55 Refer to
Policy A 2.9.3.50

date Nov. 2, 1990
drawn by R.L.
reference file no. 6 - 2 - 95



legend



special policy **areas**

AREA	REFER TO POLICY
1(a)	A 2.9.1
1(b)	A 2.9.2
2	A 2.9.3
3	A 2.9.3.1
4	A 2.9.3.2
5	A 2.9.3.3
6	A 2.9.3.4
7	A 2.9.3.5
8	A 2.9.3.6
9	A 2.9.3.7
10	A 2.9.3.8
11	A 2.9.3.9
12	A 2.9.3.10
13	A 2.9.3.11
14	A 2.9.3.12
15	A 2.9.3.13
16	A 2.9.3.14
17	A 2.9.3.15
18	A 2.9.3.16
19	A 2.9.3.17
20	A 2.9.3.18
21	A 2.9.3.19
22	A 2.9.3.20
23	A 2.9.3.21
24	A 2.9.3.22
25	A 2.9.3.23
26	A 2.9.3.24
27	A 2.9.3.25
28	A 2.9.3.26
29	A 2.9.3.27
30	A 2.9.3.28
31	A 2.9.3.29
31(a)	A 2.9.3.30
31(b)	A 2.9.3.31
31(c)	A 2.9.3.32
32	A 2.9.3.33
33	A 2.9.3.34
34	A 2.9.3.35
35	A 2.9.3.36
36	A 2.9.3.37
37	A 2.9.3.38
38	A 2.9.3.39
39	A 2.9.3.40
40	A 2.9.3.41
41	A 2.9.3.42
42	A 2.9.3.43
43	A 2.9.3.44
44	A 2.9.3.45
45	A 2.9.3.46
46	A 2.9.3.47
47	A 2.9.3.48
48	A 2.9.3.49
49	A 2.9.3.50

Refer to Schedule B - 1 for Special
Policy Areas in the Downtown

schedule B to the official plan for the city of hamilton

90 06 30

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE EAST SIDE OF PRITCHARD ROAD,
IN THE AREA SOUTH OF HIGHLAND ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions, as contained in Section 17E of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 17E(1)(c) of By-law No. 6593, the following Commercial Use shall be permitted:

S.I.C. Identification	
<u>Number</u>	<u>Permitted Use</u>
9959	Other Services to Buildings and Dwellings

- (b) notwithstanding Section 17E(1)(d) of By-law No. 6593, the following Industrial Use shall be permitted:

S.I.C. Identification	
<u>Number</u>	<u>Permitted Use</u>
4242	Dry Heating and Gas Piping Work

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1187.

4. Sheet No. E-79D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1187.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 15 R.P.D.C. 15(a), August 28
789068 Ontario Ltd. (D. Valentini), Owner
ZA-90-51



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-____
Passed the _____ day of _____, 1990.

Clerk

Mayor

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 90-____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be
regulated by By-Law
No. 90-



Scale
NOT TO SCALE

Date
SEPTEMBER, 1990

Reference File No.
ZA90-51

Drawn By
T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Various Licensing By-laws

Respecting:

FEEs

WHEREAS By-law No. 76-32, as amended, was passed on the 27th day of January 1976, to provide for the licensing of body-rub parlours and for licence fees in respect thereof;

AND WHEREAS By-law No. 79-144, as amended, was passed on the 8th day of May 1979, to provide for the licensing of adult entertainment parlour owners, operators and attendants, and for licence fees in respect thereof;

AND WHEREAS By-law No. 79-323, as amended, was passed on the 22nd day of November 1979, to provide for the licensing of various trades, callings, occupations and persons engaged therein, and for licence fees in respect thereof;

AND WHEREAS By-law No. 84-71, as amended, was passed on the 27th day of March 1984, to provide for the licensing of sandblasters and building exterior cleaners, and for licence fees in respect thereof;

AND WHEREAS By-law No. 89-56, as amended, was passed on the 31st day of January 1989, amended By-law 79-323, to provide for the licensing of flea markets and for licence fees in respect thereof;

AND WHEREAS By-law No. 80-259, was passed on the 30th day of September, 1980, and was amended by By-law No. 81-93, By-law 84-245, By-law 87-272, and By-law 88-271, to provide for the licensing of second level lodging houses and for license fees in respect thereof;

AND WHEREAS By-law No. 88-271, and By-law No. 89-347, were passed to amend By-law No. 76-32, By-law No. 79-144 and By-law No. 79-323, to provide for a revised schedule of licence fees for respectively, 1989 and 1990;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 13 of the 24th Report of the Finance and Administration Committee at its meeting held on the 30th day of October 1990, directed that Licensing By-law No. 79-323, Body Rub Parlours By-law No. 76-32, Second Level Lodging Houses By-law No. 80-259, and Adult Entertainment Parlours By-law No. 79-144, be further amended to increase licence fees for 1991.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. **SCHEDULE 1** to By-law No. 76-32, as re-enacted by section 1 of By-law No. 84-246, and as amended by section 1 of By-law No. 87-272, section 1 of By-law No. 88-271, and section 1 of By-law No. 89-347, is further amended by striking out the fees in column 2 and inserting in lieu thereof for each class of licence respectively referred to,

- (a) in clauses 1(a) and 1(b), a corresponding fee in column 2 of \$6,048.00; and
- (b) in clauses 1(c) and 1(d), a corresponding fee in column 2 of \$242.00.

2. SCHEDULE 1.00 to By-law No. 79-144, as amended by section 2 of By-law No. 87-272, section 2 of By-law No. 88-271, and section 2 of By-law No. 89-347, is further amended by striking out the fees in columns 2, 3, 4 and 5 and inserting in lieu thereof for each class of licence respectively referred to in column 1 as "F", "G", "H", "I", "J", "K",

- (a) a corresponding fee in columns 2 and 3 of \$3,630.00; and
- (b) a corresponding fee in column 4 of \$1,210.00; and
- (c) a corresponding fee in column 5 of \$182.00.

3. Paragraph 1 of section 7 of SCHEDULE 1 of By-law No. 79-323, as amended by section 2 of By-law No. 84-244, section 3 of By-law No. 87-272, section 3 of By-law No. 88-271, and section 3 of By-law No. 89-347, is further amended by striking out "\$66.00" at the end of paragraph 1 and inserting in lieu thereof "\$69.00".

4. Paragraph 1 of section 2 of SCHEDULE 2 of By-law No. 79-323, as amended by section 4 of By-law No. 87-272, section 4 of By-law No. 88-271, and section 4 of By-law No. 89-347, is further amended by striking out "\$17.00" at the end of the paragraph and inserting in lieu thereof "\$18.00".

5. Paragraphs 1 and 2 of section 6 of SCHEDULE 3 of By-law No. 79-323, as amended by section 5 of By-law No. 87-272, section 5 of By-law No. 88-271, and section 5 of By-law No. 89-347, are each further amended by striking out "\$33.00" at the end of paragraph 1 and "\$22.00" at the end of paragraph 2 and respectively inserting in lieu thereof for,

- (a) paragraph 1, "\$35.00";
- (b) paragraph 2, "\$23.00".

6. (1) Section 33 of SCHEDULE 4 of By-law No. 79-323, as re-enacted by section 1 of By-law No. 89-249, and amended by subsection 6(1) of By-law No. 89-347, is further amended by striking out the fees referred to in each of the clauses 33(a), 33(b), 33(c), 33(d), 33(e), 33(f), 33(g), 33(h), 33(i), 33(j), 33(k), 33(l), 33(m), 33(n), and 33(o), and inserting in lieu thereof for,

- (a) clause 33(a), \$53.00;
- (b) clause 33(b), \$53.00;
- (c) clause 33(c), \$3,150.00;
- (d) clause 33(d), \$184.00;
- (e) clause 33(e), \$605.00;
- (f) clause 33(f), \$303.00;
- (g) clause 33(g), \$605.00;

- (h) clause 33(h), \$362.00;
- (i) clause 33(i), \$242.00;
- (j) clause 33(j), \$27.00;
- (k) clause 33(k), \$53.00;
- (l) clause 33(l), \$53.00;
- (m) clause 33(m), \$184.00;
- (n) clause 33(n), \$184.00;
- (o) clause 33(o), \$26.00.

(2) Section 16 of SCHEDULE 4a of By-law No. 79-323, as re-enacted by section 2 of By-law No. 89-249, and amended by subsection 6(2) of By-law No. 89-347, is further amended by striking out "\$175.00" at the end of paragraphs 1 and 2, and inserting in lieu thereof "\$184.00", and striking out "\$26.00" at the end of paragraphs 3 and 4, and inserting in lieu thereof "\$27.00".

7. (1) Clause (a) of paragraph 1 of section 10 of SCHEDULE 5 of By-law No. 79-323, as amended by subsection 8(1) of By-law No. 87-272, subsection 7(1) of By-law No. 88-271, and subsection 7(1) of By-law No. 89-347, is further amended by striking out "\$17.00" at the end of the clause and inserting in lieu thereof "\$18.00".

(2) Clauses (a), (b), (c) and (d) of paragraph 2 of section 10 of SCHEDULE 5 of By-law No. 79-323, as amended by section 1 of By-law No. 80-093, section 3 of By-law No. 83-261, sections 1 and 2 of By-law No. 83-317, subsection 8(2) of By-law No. 87-272, subsection 7(2) of By-law No. 88-271, and subsection 7(2) of By-law No. 89-347, are each further amended by striking out "\$250.00" at the end of clause (a), and striking out "\$60.00" at the end of each clauses (b), (c), and (d), and respectively inserting in lieu thereof for,

- (a) clause (a), \$263.00;
- (b) clause (b), \$63.00;
- (c) clause (c), \$63.00;
- (d) clause (d), \$63.00.

(3) Clauses (a), (b), (c) and (d) of paragraph 3 of section 10 of SCHEDULE 5 of By-law No. 79-323, as enacted by section 4 of By-law No. 83-261 and as amended by subsection 8(3) of By-law No. 87-272, subsection 7(3) of By-law No. 88-271, and subsection 7(3) of By-law No. 89-347, are each further amended by striking out "\$60.00" at the end of each of clauses (a), (b), (c) and (d) and respectively inserting in lieu thereof for,

- (a) clause (a), \$63.00;
- (b) clause (b), \$63.00;
- (c) clause (c), \$63.00;
- (d) clause (d), \$63.00.

8. Paragraph 1 of section 7 of SCHEDULE 6 of By-law No. 79-323, as amended by section 3 of By-law No. 84-244, section 9 of By-law No. 87-272, section 8 of By-law No. 88-271, and section 8 of

By-law No. 89-347, is further amended by striking out "\$173.00" at the end of the paragraph and inserting in lieu thereof "\$182.00".

9. Paragraph 2 of section 7 of SCHEDULE 7 of By-law No. 79-323, as re-enacted by section 6 of By-law No. 82-197 and as amended by section 4 of By-law No. 84-244, subsection 10(1) of By-law No. 87-272, section 9 of By-law No. 88-271, and section 9 of By-law No. 89-347, is further amended by striking out "\$17.00" at the end of the paragraph and inserting in lieu thereof "\$18.00".

10. Paragraph 1 of section 5 of SCHEDULE 13 of By-law No. 79-323, as amended by subsections 5(2) and 5(3) of By-law No. 84-244, section 13 of By-law No. 87-272, section 11 of By-law No. 88-271, and section 11 of By-law No. 89-347, is further amended by striking out "\$144.00" at the end of clause (c) and "\$39.00" at the end of clause (d) and respectively inserting in lieu thereof for,

- (a) clause (c), \$151.00;
- (b) clause (d), \$41.00.

11. (1) Clauses (a) and (b) of paragraph 1 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 6(1) of By-law No. 84-244, subsection 14(1) of By-law No. 87-272, subsection 12(1) of By-law No. 88-271, and subsection 12(1) of By-law No. 89-347, is further amended by striking out "\$60.00" at the end of clause (a) and "\$16.00" at the end of clause (b), and inserting in lieu thereof, for clause (a) "\$63.00", and for clause (b) "\$17.00".

(2) Clauses (a), (b), (d) and (e) of paragraph 2 of section 6 of SCHEDULE 15, as amended by subsection 14(2) of By-law No. 87-272, subsection 12(2) of By-law No. 88-271, and subsection 12(2) of By-law No. 89-347, are each further amended by striking out "\$12.00" at the end of clause (a), "\$33.00" at the end of clause (b), "\$12.00" at the end of clause (d), and "\$17.00" at the end of clause (e) and respectively inserting in lieu thereof for,

- (a) clause (a), \$13.00;
- (b) clause (b), \$35.00;
- (c) clause (d), \$13.00;
- (d) clause (e), \$18.00.

(3) Clause (c) of paragraph 2 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 14(4) of By-law No. 87-272, subsection 12(4) of By-law No. 88-271, and subsection 12(4) of By-law No. 89-347, is further amended by striking out "\$33.00" in the eighth line and substituting in lieu thereof "\$35.00".

(4) Clause (b) of paragraph 3 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 7(2) of By-law No. 84-244, subsection 14(5) of By-law No. 87-272, subsection 12(5) of By-law No. 88-271, and subsection 12(5) of By-law No. 89-347, is further amended by striking out "\$230.00" at the end of the clause and inserting in lieu thereof "\$242.00".

(5) Paragraph 4 of section 6 of SCHEDULE 15 of By-law No. 79-323, as re-enacted by subsection 7(3) of By-law No. 84-244 and as amended by subsection 14(6) of By-law No. 87-272, subsection 12(6) of By-law No. 88-271, and subsection 12(6) of By-law No. 89-347, is further amended by striking out "\$230.00" at the end of the paragraph and inserting in lieu thereof "\$242.00".

(6) Clauses (a) and (b) of paragraph 5 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 14(7) of By-law No. 87-272, subsection 12(7) of By-law No. 88-271, and subsection 12(7) of By-law No. 89-347, is further amended by striking out "\$49.00" at the end of clause (a) and inserting in lieu thereof "\$51.00", and striking out "\$5.00" at the end of clause (b) and inserting in lieu thereof "\$6.00".

(7) Clauses (a) and (b) of paragraph 6(i) of section 6 of SCHEDULE 15 of By-law No. 79-323, as re-enacted by section 1 of By-law No. 81-79 and as amended by subsections 7(4) and 7(5) of By-law No. 84-244, subsection 14(8) of By-law No. 87-272, subsection 12(8) of By-law No. 88-271, and subsection 12(8) of By-law No. 89-347, are each further amended by striking out "\$140.00" at the end of clause (a) and "\$35.00" at the end of clause (b) and inserting in lieu thereof for,

- (a) clause (a), \$148.00;
- (b) clause (b), \$37.00.

(8) Paragraph 6(ii) of section 6 of SCHEDULE 15 of By-law No. 79-323, as re-enacted by section 1 of By-law No. 81-79 and as amended by section 1 of By-law No. 84-261, subsection 14(9) of By-law No. 87-272, subsection 12(9) of By-law No. 88-271, and subsection 12(9) of By-law No. 89-347, is further amended by striking out "\$2,305.00" in the third line and inserting in lieu thereof "\$2,420.00".

(9) Clauses (a), (b), (c) and (d) of paragraph 7 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 14(10) of By-law No. 87-272, subsection 12(10) of By-law No. 88-271, and subsection 12(10) of By-law No. 89-347, are each further amended by striking out "\$60.00" at the end of clause (a), "\$116.00" at the end of clause (b), "\$173.00" at the end of clause (c), "\$230.00" at the end of clause (d) and respectively inserting in lieu thereof for,

- (a) clause (a), \$63.00;
- (b) clause (b), \$122.00;
- (c) clause (c), \$182.00;
- (d) clause (d), \$242.00.

(10) Clauses (a), (b), (c) and (d) of paragraph 9 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 14(11) of By-law No. 87-272, subsection 12(11) of By-law No. 88-271, and subsection 12(11) of By-law No. 89-347, are each further amended by striking out "\$60.00" at the end of clause (a), "\$116.00" at the end of clause (b), "\$173.00" at the end of clause (c) and "\$230.00" at the end of clause (d) and respectively inserting in lieu thereof for,

- (a) clause (a), \$63.00;
- (b) clause (b), \$122.00;
- (c) clause (c), \$182.00;
- (d) clause (d), \$242.00.

(11) Paragraph 10 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 7(6) of By-law No. 84-244, subsection 14(12) of By-law No. 87-272, subsection 12(12) of By-law No. 88-271, and subsection 12(12) of By-law No. 89-347, is

further amended by striking out "\$230.00" at the end of the paragraph and inserting in lieu thereof "\$242.00".

(12) Paragraph 11 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 7(7) of By-law No. 84-244, subsection 14(13) of By-law No. 87-272, subsection 12(13) of By-law No. 88-271, and subsection 12(13) of By-law No. 89-347, is further amended by striking out "\$17.00" at the end of the paragraph and inserting in lieu thereof "\$18.00".

(13) Clauses (a) and (b) of paragraph 12 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 14(14) of By-law No. 87-272, subsection 12(14) of By-law No. 88-271, and subsection 12(14) of By-law No. 89-347, are each further amended by striking out "\$17.00" at the end of clause (a) and "\$33.00" at the end of clause (b), and respectively inserting in lieu thereof for,

(a) clause (a), \$18.00;

(b) clause (b), \$35.00.

(14) Paragraph 13 of section 6 of SCHEDULE 15 of By-law No. 79-323, as amended by subsection 14(15) of By-law No. 87-272, subsection 12(15) of By-law No. 88-271, and subsection 12(15) of By-law No. 89-347, is further amended by striking out "\$17.00" at the end of the paragraph and inserting in lieu thereof "\$18.00".

12. Clauses (a) and (b) of paragraph 1 of section 10 of SCHEDULE 16 of By-law No. 79-323, as amended by section 8 of By-law No. 84-244, section 15 of By-law No. 87-272, section 13 of By-law No. 88-271, and section 13 of By-law No. 89-347, are further amended by striking out "\$93.00" at the end of clause (a) and "\$93.00" at the end of clause (b) and respectively inserting in lieu thereof for,

(a) clause (a), \$98.00;

(b) clause (b), \$98.00.

13. (1) Paragraph 1 of section 3 of SCHEDULE 19 of By-law No. 79-323, as amended by subsection 9(1) of By-law No. 84-244, subsection 16(1) of By-law No. 87-272, subsection 14(1) of By-law No. 88-271, and subsection 14(1) of By-law No. 89-347, is further amended by striking out "\$27.00" at the end of the paragraph and inserting in lieu thereof "\$28.00".

(2) Paragraph 2 of section 3 of SCHEDULE 19 of By-law No. 79-323, as amended by subsection 9(2) of By-law No. 84-244, subsection 16(2) of By-law No. 87-272, subsection 14(2) of By-law No. 88-271, and subsection 14(2) of By-law no. 89-347, is further amended by striking out "\$576.00" at the end of the paragraph and inserting in lieu thereof "\$605.00".

14. Paragraph 1 of section 6 of SCHEDULE 23 of By-law No. 79-323, as amended by section 11 of By-law No. 84-244, section 17 of By-law No. 87-272, section 15 of By-law No. 88-271, and section 15 of By-law No. 89-347, is further amended by striking out "\$27.00" at the end of the paragraph and inserting in lieu thereof "\$28.00".

15. Paragraphs 1 and 2 of section 2 of SCHEDULE 25 of By-law No. 79-323, as amended by section 19 of By-law No. 87-272, section 17 of By-law No. 88-271, and section 17 of By-law No. 89-347, are each further amended by striking out "\$39.00" at the end

of paragraph 1 and "\$22.00" at the end of paragraph 2 and respectively inserting in lieu thereof for,

- (a) paragraph 1, \$41.00;
- (b) paragraph 2, \$23.00.

16. Paragraphs 1 and 2 of section 3 of SCHEDULE 27 of By-law No. 79-323, as amended by section 20 of By-law No. 87-272, section 18 of By-law No. 88-271, and section 18 of By-law No. 89-347, are each further amended by striking out "\$39.00" at the end of paragraph 1 and "\$33.00" at the end of paragraph 2, and respectively inserting in lieu thereof for,

- (a) paragraph 1, \$41.00;
- (b) paragraph 2, \$35.00.

17. Paragraph 1 of section 19 of SCHEDULE 28 of By-law No. 79-323, as amended by section 12 of By-law No. 84-244, section 21 of By-law No. 87-272, section 19 of By-law No. 88-271, and section 19 of By-law No. 89-347, is further amended by striking out "\$127.00" at the end of the paragraph and inserting in lieu thereof "\$133.00".

18. Paragraph 1 of section 3 of SCHEDULE 29 of By-law No. 79-323, as amended by section 13 of By-law No. 84-244, section 22 of By-law No. 87-272, section 20 of By-law No. 88-271, and section 20 of By-law No. 89-347, is further amended by striking out "\$39.00" at the end of the paragraph and inserting in lieu thereof "\$41.00".

19. Paragraph 1 of section 2 of SCHEDULE 31 of By-law No. 79-323, as amended by section 14 of By-law No. 84-244, section 23 of By-law No. 87-272, section 21 of By-law No. 88-271, and section 21 of By-law No. 89-347, is further amended by striking out "\$230.00" at the end of the paragraph and inserting in lieu thereof "\$242.00".

20. Paragraphs 1, 2, 3, 4, 6 and 7 of section 10 of SCHEDULE 32 of By-law No. 79-323, as amended by section 15 of By-law No. 84-244, section 24 of By-law No. 87-272, section 22 of By-law No. 88-271, and subsection 22(1) of By-law No. 89-347, are each further amended by striking out "\$66.00" at the end of paragraph 1, "\$33.00" at the end of paragraph 2, "\$22.00" at the end of paragraphs 3 and 4, "\$27.00" at the end of paragraphs 6 and 7 and respectively inserting in lieu thereof for,

- (a) paragraph 1, \$69.00;
- (b) paragraph 2, \$35.00;
- (c) paragraph 3, \$23.00;
- (d) paragraph 4, \$23.00;
- (e) paragraph 6, \$28.00;
- (f) paragraph 7, \$28.00.

21. Paragraph 1 of section 5 of SCHEDULE 42 of By-law No. 79-323, as enacted by By-law No. 84-71, and amended by section 23 of By-law No. 89-347, is further amended by striking out "\$105.00" at the end of the paragraph, and inserting in lieu thereof "\$110.00".

22. Clauses 1(a), 1(b), 1(c), and 2 of section 10 of SCHEDULE 43 of By-law No. 79-323, as re-enacted by section 4 of By-law No. 89-56 and amended by section 24 of By-law No. 89-347, are each further amended by striking out the fees referred to in each of clauses 1(a), 1(b), 1(c) and 2 and inserting in lieu thereof for,

- (a) clause 1(a), \$576.00;
- (b) clause 1(b), \$1,152.00;
- (c) clause 1(c), \$1,728.00;
- (d) clause 2, \$58.00.

23. Paragraphs (i) and (ii) of subsection 2(2) of By-law 80-259, as re-enacted by section 3 of By-law No. 81-93, and amended by By-law No. 84-245, By-law No. 87-272, and By-law 88-271, are each further amended by striking out the fees referred to in each of paragraphs (i) and (ii), and inserting in lieu thereof for,

- (a) paragraph (i), \$127.00;
- (b) paragraph (ii), \$253.00.

24. In all other respects, By-laws No. 76-32, 79-144, 79-323, 80-259, 84-71 and 89-56, as may have been otherwise previously amended, are hereby confirmed without change.

25. The increases in fees set out herein, apply to all licences issued or renewed for the year 1991, and in all other respects the fee increases apply on and from January 1st, 1991.

26. This by-law comes into force and effect on the date of enactment.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990)

BY-LAW NO. 90 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13th DAY OF NOVEMBER A.D., 1990.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1990

CITY CLERK

MAYOR

(file with Nov. 13/90
City Council Agenda)

CA40NHBLA05
A31

URBAN/MUNICIPAL

1990

CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

INCORPORATE BLOCK 56, PLAN 62M-384
INTO REXFORD DRIVE

URBAN MUNICIPAL

NOV 21 1990

GOVERNMENT DOCUMENTS

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Rexford Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Rexford Drive.

Part of Parcel Reserves -1,
Section 62M-384

All of Block 56, Plan 62M-384

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1990.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PARTS 4 & 6, PLAN 62R-10808
INTO REXFORD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Rexford Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Rexford Drive.

Part of Lot 8, Concession 7,
in the former geographic Township of Barton

City of Hamilton

Regional Municipality of Hamilton-Wentworth

designated as Parts 4 and 6, Plan 62R-10808

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1990.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PART 2, PLAN 62R-10808
INTO ATHERLEY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Atherley Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Atherley Drive.

Part of Lot 8, Concession 7, in the former geographic Township of Barton designated as Part 2, Plan 62R-10808

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this

day of

A.D. 1990.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE BLOCK 52, PLAN 62M-357
INTO BOW VALLEY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Bow Valley Drive by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Bow Valley Drive.

Parcel Reserves -1,
Section 62M-357

All of Block 52, Plan 62M-357

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being all of the Parcel

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1990.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 90-

TO INCORPORATE PART 3, PLAN 62R-8668
INTO LIMERIDGE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Limeridge Road by incorporating within its limits the lands described below;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following lands are hereby established and laid out as a public highway to form part of Limeridge Road.

Part of Lot 9, Concession 6, in the former geographic Township of Barton designated as Part 3, Plan 62R-8668

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1990.

City Clerk

Mayor

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25A (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Section 26 (One Hour Limit)** the following item, namely:-

"Royal	Both	Emerson to Leland".
--------	------	---------------------

2. **Schedule 25B (Parking Time Limits)** is hereby amended by adding to **Section 4 (One Hour Limit)** the following items, namely:-

"Markland	North	Bay to Park
Markland	South	Bay to Chilton".

3. **Schedule 26 (No Parking Areas)** is hereby amended by adding to **Section A (No Parking Anytime)** the following items, namely:-

"Hess	East	commencing at a point 81 feet south of King to a point 31 feet southerly therefrom
-------	------	------------------------------------------------------------------------------------

Bay	North and West	Burlington to Wood
-----	----------------	--------------------

Sanatorium	Both	Rice to westerly intersection with Scenic Drive".
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and by deleting therefrom the following item, namely:-

"Sanatorium	North	Rice to northerly end".
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4. **Schedule 34 (Sticker Permit Parking)** is hereby amended by deleting therefrom the following item, namely:-

"Springer	East	Maplewood to Main	Anytime".
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and by adding thereto the following item, namely:-

"Springer	East	Maplewood to Main	Anytime Monday to Saturday".
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PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Rendell	Northbound and Southbound	Brucedale
Rosslyn	Northbound and Southbound	Campbell".

2. **Schedule 16 (No Left Turn at Certain Intersections)** is hereby amended by deleting therefrom the following item, namely:-

"Glendale	Southerly	Cannon	Anytime".
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PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 31, 33 AND 35 AIKMAN AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-22 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2 shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Sections 11.(1), 11.(2) and 11.(5) of By-law No. 6593, a multiple dwelling having a height of not more than 6 storeys, containing not more than 63 dwelling units and having a gross floor area of not more than 4,460.0 m² shall be permitted;
- (b) notwithstanding Section 11.(3)(i)(b) of By-law No. 6593, a front yard of not less than 0.67 m shall be provided and maintained;
- (c) notwithstanding Section 11.(3)(ii)(b) of By-law No. 6593, an easterly side yard of not less than 4.36 m and a westerly side yard of not less than 4.43 m shall be provided and maintained;
- (d) notwithstanding Section 18.(3)(vi)(cc)(ii) and (iii) of By-law No. 6593, a balcony may project into the required rear yard not more than 1.6 m; into the easterly side yard not more than 0.8 m on the ground floor and 0.4 m on the remaining 5 floors; and into the westerly side yard not more than 1.0 m;

- (e) notwithstanding Section 2.(2)J.(xb)(C) and Section 11.(6) of By-law No. 6593, the following landscaped areas shall be provided and maintained on the lot:
 - (i) not less than 12.02% of the lot area at grade; and
 - (ii) not less than 7.58% of the lot area above grade at the raised terrace level;
- (f) notwithstanding Section 18.(3)(vi)(e) of By-law No. 6593, the front entrance stairs to the raised terrace level shall be permitted within 0 m of the street line;
- (g) notwithstanding paragraph 1.(g) of TABLE 1 referred to in Section 18A of By-law No. 6593, not less than 36 parking spaces shall be provided and maintained;
- (h) notwithstanding paragraph 2. of TABLE 3 referred to in Section 18A of By-law No. 6593, at least one 3.7 m x 9.0 m x 4.3 m loading space shall be provided and maintained;
- (i) notwithstanding Sections 18A(9), (10) and (32) of By-law No. 6593, the manoeuvring space for the required parking and loading spaces on the surface of the lot may be provided off-site;
- (j) notwithstanding Section 18A(24)(b)(i) of By-law No. 6593, the alleyway for an access driveway to the required parking area shall be at least 3.66 m in width.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1201.

5. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in sections 1 and 2 of this by-law, S-1201.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

day of

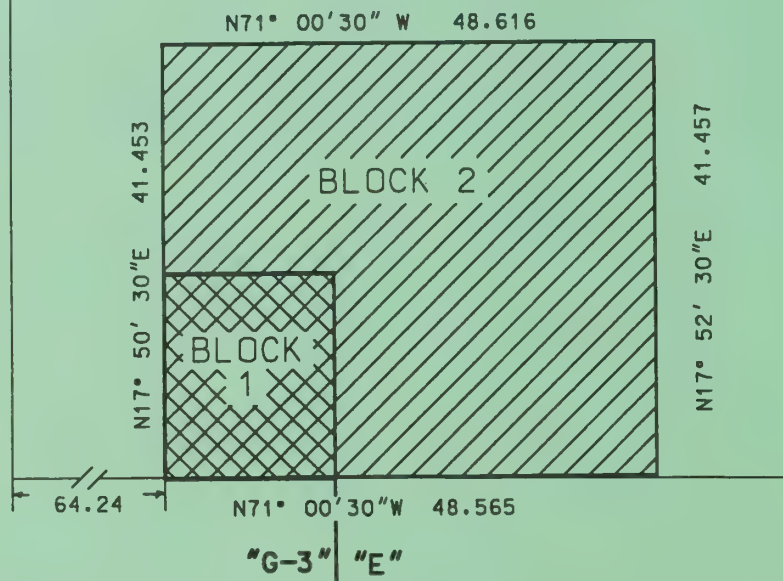
A.D. 1990.

City Clerk

Mayor

(1990) 18 R.P.D.C. 9, October 30
 Good Shepherd Non-Profit Homes Inc., Owner
 ZA-90-62

WENTWORTH ST. S



AIKMAN AVENUE




This is Schedule "A" to By-Law No. 90-____
Passed the _____ day of _____, 1990.

Clerk

Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 90-_____
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

<p>Legend Change in zoning from:</p> <p> "G-3" (Public Parking Lots) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.</p> <p> Lands to be regulated by By-Law No. 90-_____</p>		
<p>North</p> 	<p>Scale NOT TO SCALE</p>	<p>Reference File No. ZA90-62</p>
	<p>Date NOVEMBER, 1990</p>	<p>Drawn By T. A.</p>

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE REAR OF
MUNICIPAL NOS. 115 and 125 CENTENNIAL PARKWAY NORTH**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-104 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "DE-3" (Multiple Dwellings) District, the land comprised in Block 1; and
- (b) by changing from "L-mr-1" (Planned Development - Multiple Residential) District to "DE-3" (Multiple Dwellings) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10C(1)(vi) of By-law No. 6593, a multiple dwelling containing not more than 30 dwelling units for the accommodation of elderly persons at least 60 years of age shall be permitted;
- (b) notwithstanding Section 10C(3)(ii)(b) of By-law No. 6593, a side yard having a depth of not less than 4.5 m shall be provided and maintained along the easterly side lot line within 63.0 m of the south-easterly corner of the property;
- (c) notwithstanding paragraph 1(g) of TABLE 1 referred to in Section 18A of By-law No. 6593, not less than 20 parking spaces shall be provided and maintained.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1202.

5. Sheet No. E-104 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1202.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

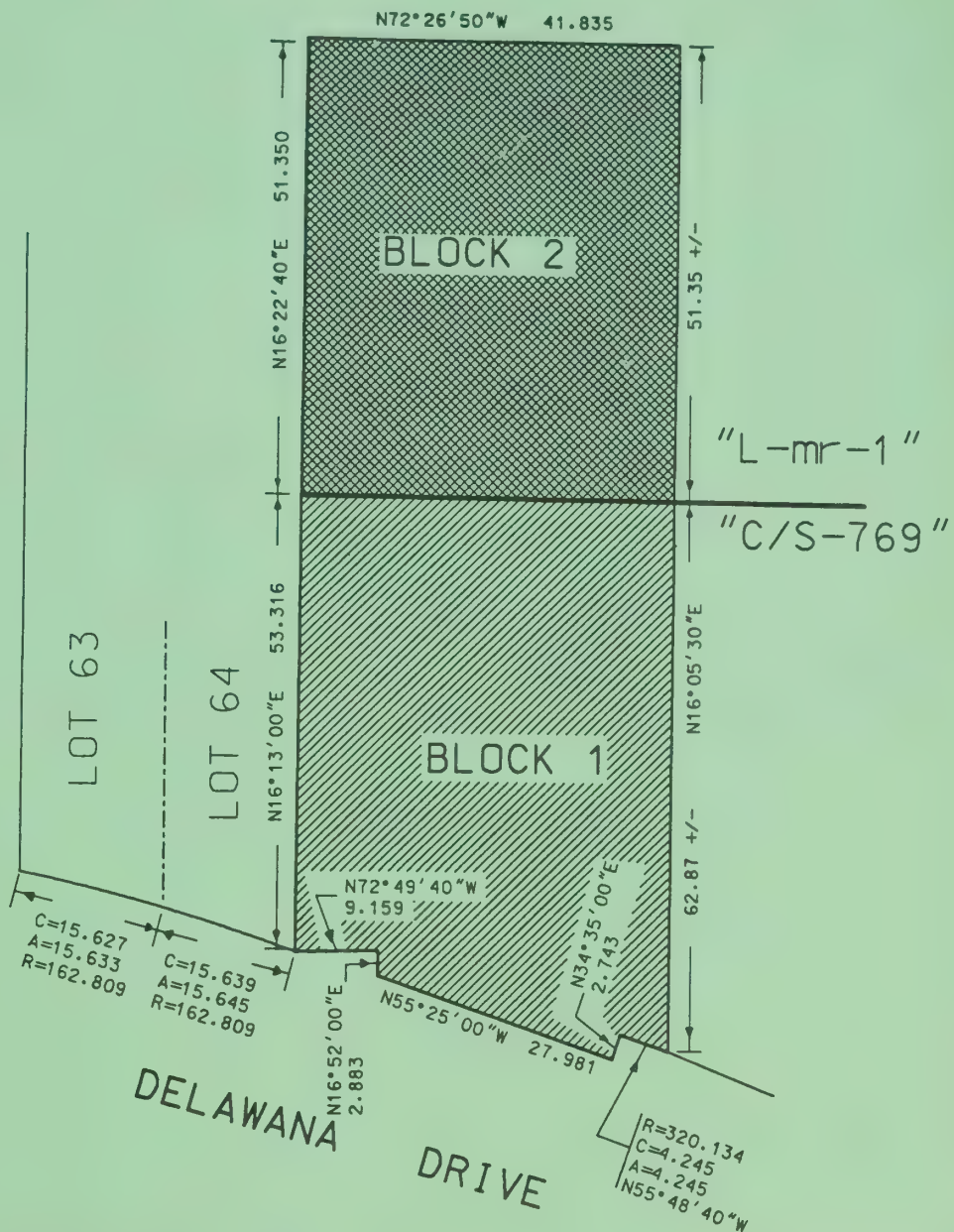
PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 18 R.P.D.C. 13, October 30
Slovenian Society of St. Joseph Hamilton, Lessee
Amended ZA-90-59

FAIRINGTON CRESCENT



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-____
Passed the _____ day of _____, 1990.

Clerk

Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 90-____
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"C" (Urban Protected Residential, etc.) District,
modified to "DE-3" (Multiple Dwellings) District,
modified.



"L-mr-1" (Planned Development-Multiple Residential)
District to "DE-3" (Multiple Dwellings) District,
modified.

North



Scale

NOT TO SCALE

Reference File No.

ZA90-59

Date

NOVEMBER, 1990

Drawn By

T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1280 RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 95, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "M-15" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, the land comprised in Block 2,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "M-12" (Prestige Industrial) District provisions, as contained in Section 17D of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 17D(1)(b) of By-law No. 6593, the following additional Commercial Uses shall be permitted:

<u>S.I.C. Number</u>	<u>Use Not Prohibited</u>
6531	Hardware Stores
6522	Lawn and Garden Centres

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-12" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1198.

5. Sheet No. E-59E of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S-1198.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

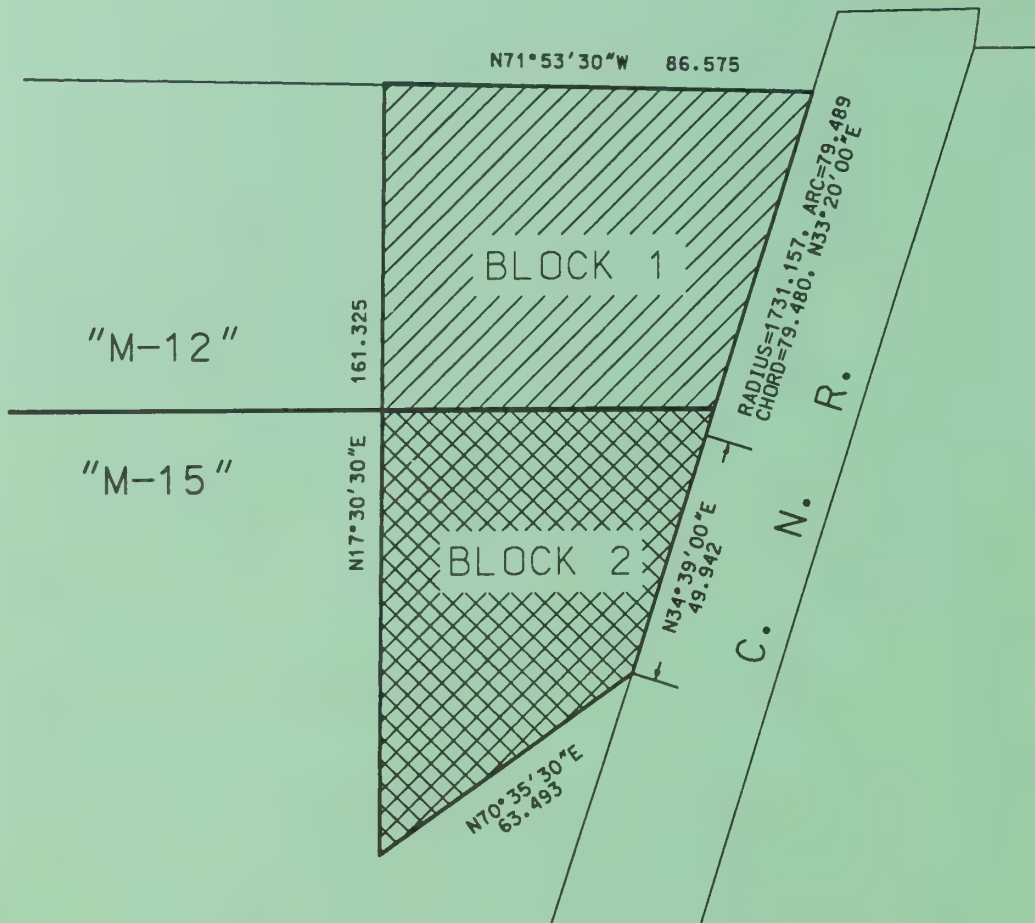
PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 18 R.P.D.C. 6(b), October 30
Allan John Beattie, Owner
Amended ZA-90-54

RYMAL ROAD EAST



This is Schedule "A" to By-Law No. 90-____
Passed the _____ day of _____, 1990.

Clerk

Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
Map Forming Part of
By-Law No. 90-____
to Amend By-Law No. 6593
Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend
Change in zoning from:



"M-15" (PRESTIGE INDUSTRIAL) District to
"M-12" (PRESTIGE INDUSTRIAL) District.



Lands to be regulated by
By-Law No. 90-____

North 	Scale NOT TO SCALE	Reference File No. ZA90-54
	Date NOVEMBER, 1990	Drawn By T. A.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 54 HESS STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HI" (Civic Centre Protected Districts) District provisions, as contained in Section 15A of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 15A(1) of By-law No. 6593, not more than four dwelling units shall be permitted only within the existing building;
- (b) notwithstanding Section 18A(1)(a) of By-law No. 6593, not less than three parking spaces shall be provided and maintained;
- (c) notwithstanding Section 18A(7) of By-law No. 6593, one parking space shall have a length of not less than 5.18 m;
- (d) Section 18A(9) of By-law No. 6593 shall not apply only in respect of manoeuvring space;
- (v) clauses (b), (c), and (d) of this by-law shall only apply to the building existing on the day of the passing of this by-law.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HI" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1200.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

By-law No. 83-253

Respecting:

REPAIR OR DEMOLITION OF PROPERTY

WHEREAS The Property Standards By-law No. 74-74, passed on the 30th day of April, 1974, provides for standards of maintenance and occupancy in accordance with the Planning Act, R.S.O. 1970, Chapter 349, section 36, (now the Planning Act, 1983, section 31);

AND WHEREAS an officer may issue an order in accordance with subsection 31(7) of the Planning Act, 1983;

AND WHEREAS where no appeal has been taken within 14 days after service of the order to the Property Standards Committee and the order is deemed confirmed under section 31(16) of the said Act, or where an appeal is taken and the order is confirmed or modified by the committee under subsection 31(17), or in the event that no appeal is further taken to a judge under subsection 31(18), within 14 days after the sending of a copy of the decision of the committee, or where an appeal is taken to the judge and the order is confirmed or modified by the judge, in accordance with subsection 31(18), the order is final and binding upon the owner and occupant who is thereupon required to make the repair or demolition within the time and in the manner specified in the order in accordance with subsection 31(19) of the said Act;

AND WHEREAS clause 31(20) (a) of the said Act provides as follows:

(20) If the owner or occupant of property fails to demolish the property or to repair in accordance with an order as confirmed or modified, the corporation in addition to all other remedies,

(a) shall have the right to demolish or repair the property accordingly and for this purpose with its servants and agents from time to time to enter in and upon the property;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-253 on the 31st day of August 1983, to authorize the Building Commissioner to implement orders confirmed or modified where the cost of the work does not exceed \$1,000;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 20th Report of the Planning and Development Committee at its meeting held on the 13th day of November 1990, recommended that By-law No. 83-253 be amended to increase the allowed expenditure from \$1,000 to \$5,000, due to the increasing cost for repair of property, or clearing of all buildings, structures or debris from the site and the leaving of the site in a graded and levelled condition;

AND WHEREAS it is intended to authorize the Building Commissioner to implement orders confirmed or modified as aforesaid where the cost of the work does not exceed \$5,000.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of By-law No. 83-253 is hereby amended by deleting the figure "\$1,000" at the end of subsection (5), and substituting in lieu thereof the figure "\$5,000".
2. In all other respects, By-law No. 83-353 is hereby confirmed, unchanged.
3. This by-law comes into force and effect upon the date of its enactment.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 20 R.P.D.C. 4, November 13

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Remove:

**PART OF "AQUINO GARDENS" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL**

WHEREAS subsection 7 of section 49 of the Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...

AND WHEREAS subsection 5 of section 49 of the Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of the Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-91 on the 27th day of March 1990 to remove part of Part of "Aquino Gardens" Registered Plan of Subdivision from Part-Lot Control;

AND WHEREAS By-law No. 90-91 was registered on title on the 15th day of June 1990 as Instrument No. 051809;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 21st Report of the Planning and Development Committee at its meeting held on the 27th day of November 1990, directed that a by-law be prepared to extend the removal of part-lot control.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of the Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. Holland Avenue and Parcel "B", the one-foot reserve, Registered Plan No. 909, registered on the 18th day of March 1953, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

2. This by-law shall come into force and effect on the date of approval by The Regional Municipality of Hamilton-Wentworth in accordance with section 49(7) of the Planning Act, 1983 and O. Reg. 443/75 thereunder.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 21 R.P.D.C. 3, November 27

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Remove:

**"AQUINO GARDENS" REGISTERED PLAN OF SUBDIVISION
FROM PART-LOT CONTROL**

WHEREAS subsection 7 of section 49 of the Planning Act, 1983, Chapter 1 provides as follows:

- (7) Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or part of parts thereof as is or are designated in the by-law, and, where the by-law is approved by the Minister, subsection (5) ceases to apply to such land,...

AND WHEREAS subsection 5 of section 49 of the Planning Act establishes part-lot control of land within a registered plan of subdivision;

AND WHEREAS authority to approve by-laws enacted under subsection 7 of section 49 of the Planning Act was delegated to the Council of The Regional Municipality of Hamilton-Wentworth by O. Reg. 443/75;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-234 on the 31st day of July 1990 to remove part of "Aquino Gardens" Registered Plan of Subdivision from Part-Lot Control;

AND WHEREAS By-law No. 90-234 was registered on title on the 12th day of September 1990 as Instrument No. 287014 L.T.;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 4 of the 21st Report of the Planning and Development Committee at its meeting held on the 27th day of November 1990, directed that a by-law be prepared to extend the removal of part-lot control.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of section 49 of the Planning Act, 1983, Chapter 1, shall not apply to the following lands:

1. Parcel Plan-1, Section 62M-661, being all of Lots 1 to 32, inclusive, Registered Plan Number 62M-661, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

2. This by-law shall come into force and effect on the date of approval by The Regional Municipality of Hamilton-Wentworth in accordance with section 49(7) of the Planning Act, 1983 and O. Reg. 443/75 thereunder.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 21 R.P.D.C. 4, November 27

The Corporation of the City of Hamilton

BY-LAW NO. 90-

TO CHANGE THE NAME OF ALMA AVENUE TO EAGLEWOOD DRIVE

WHEREAS Section 210, paragraph 105 of the Municipal Act, R.S.O. 1980, Chapter 302 provides that the council of a municipality may pass by-laws to change names of highways;

AND WHEREAS notice of this by-law was published in The Spectator once a week for four successive weeks prior to the passing of this by-law, in accordance with the said Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Planning and Development Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The name of the street municipally known as Alma Avenue, more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby changed to Eaglewood Drive.

2. This by-law shall come into force and take effect on the day that a copy of it, certified under the hand of the City Clerk and the seal of The Corporation of the City of Hamilton, has been registered in the Land Registry Office for the Registry Division of Wentworth (No. 62).

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 21 R.P.D.C. 8, November 27

SCHEDULE "A"

To

By-law No. 90-

All of Alma Avenue and all of Parcel 'B' as shown on Registered Plan Number 1007. Parcel 'B' was incorporated into Alma Avenue by City of Hamilton By-law No. 90-83 on March 27, 1990 and registered on April 6, 1990 as Instrument Number 43003, in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Designate:

LAND LOCATED AT MUNICIPAL NO. 988 CONCESSION STREET

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 988 Concession Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3.. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 17 R.P.D.C. 4, October 9

Schedule "A"

To

By-law No. 90-

Kerr House

988 Concession Street, Hamilton, Ontario

ALL and Singular that certain parcel or tract of land and premises, situate, lying and being partly in the City of Hamilton, and partly in the Township of Barton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being composed of parts of Lots 1 and 2 according to plan of survey made for R.P. Street, registered in the Registry Office for the Registry Division of Wentworth as Number 296, and which may be more particularly described as follows, that is to say,

COMMENCING at an iron bar planted in the southern limit of Concession Street, distant two hundred and forty-eight feet and four and one quarter inches (248' 4 1/4") measured easterly along the southern limit of Concession Street from the north-western angle of Lot Number 2 aforesaid, and which said angle of the said Lot is distant seven hundred and ninety-five feet and three inches (795' 3") measured easterly along the southern limit of Concession Street from a concrete monument planted in the eastern limit of Gage Avenue;

THENCE southerly and parallel with the western limit of Lot Number 2 aforesaid, three hundred feet (300') to an iron bar planted;

THENCE easterly and parallel with the southern limit of Concession Street, one hundred and twenty-one feet (121') to a stake planted;

THENCE northerly and parallel with the western limit of Lot Number 2 aforesaid, two hundred and eighty-seven feet and two and one-half inches (287' 2 1/2") more or less to an iron bar planted in the south-western limit of the roadway known as the Mountain Brow Boulevard,

THENCE north-westerly along the south-western limit of the said Mountain Brow Boulevard, thirty-eight feet and one and three-quarter inches (38' 1 3/4") more or less to an iron bar planted in the aforesaid southern limit of Concession Street;

THENCE westerly along the southern limit of Concession Street, eighty-six feet (86') more or less to the place of beginning.

Schedule "B"

to

By-law No. 90 -

REASONS FOR DESIGNATION

KERR HOUSE, 988 Concession Street

Context

Built around 1855 for John William Kerr, the 1 1/2 storey stuccoed house at 988 Concession Street on the East Mountain stands overlooking the escarpment at the eastern end of Mountain Drive Park, a triangular park extending from Mountain Park Avenue to the point where Concession Street turns into the Mountain Brow Boulevard. Set well back from the roadway on a large lot amidst well-treed and attractively landscaped grounds, the Kerr house now forms part of a residential area developed largely in the 1950s.

The house originally stood at the north-east corner of Kerr's extensive property, whose frontage extended from Upper Gage along the "Mountain Top Road" to its eastern terminus. Here, at what became known as Kerr's Point, John Kerr built a road half-way down the escarpment to join the one built by Daniel Flock from his farm to the east down the Mountain to Ottawa Street.

Historical Importance

Of particular historical interest is the association of 988 Concession Street with the original owner, John William Kerr, a well-known fishing inspector and leader in early initiatives to protect Ontario's valuable fish and game resources. After retiring as Chief Clerk in the Engineer's Office of the Grand Trunk Railway in 1854, Kerr established a farm on his Mountain-brow property and by 1858 was living with his family in the present house, originally known as Inkermann Cottage.

Kerr's concern over the declining fish and game population in Hamilton Harbour and Burlington Bay led him to become a founding member of the Wentworth Society for the Protection of Game and Fish, established in 1860. Four years later, he was appointed a Fisheries Overseer (one of the first in Upper Canada) with jurisdiction over the lakeshore and rivers between Hamilton and Toronto. His territory was soon extended to the Niagara River and then along the shore of Lake Erie to Long Point. Kerr gained a reputation for his strict enforcement of the laws regulating fishing and game hunting, and also actively lobbied for the creation of fishery reserves for sports fishing and fish hatcheries. Serving as Fisheries Overseer until the year of his death in 1888, Kerr was succeeded in this position by his two eldest sons Frederick and Charles. Throughout his life a staunch Conservative, John Kerr also took an active role in the political affairs of Wentworth County and Barton Township.

John and his wife Mary occupied the house until their respective deaths in 1888 and 1907, after which the property was deeded to their four living daughters who carried on the family farm. With the death of the last surviving daughter Louisa in 1930, the farm was subdivided among the heirs. The house was acquired by Charles Kerr and finally in 1942 to his son, Albert, neither of whom ever lived in it. Owned by the Kerr family for almost a century, the house was purchased in 1946 by Reginald and Ruth Dodson along with about 3/4 acre of land; the property has since changed ownership only once, being sold in 1985 to the present owners.

Architectural Importance

Stylistically, the Kerr house represents a very unusual, and possibly unique, variation on the Ontario Regency cottage form: a one-storey structure of tall proportions, often stuccoed, with tall chimneys and casement windows. Atypical of the Regency cottage is its asymmetrical, L-shaped plan and corresponding roof form, and the large wall-mounted brackets supporting the flared eaves. Sprung from corbels and terminating in two pendants, these gracefully curved wooden brackets constitute the most distinctive and individualistic design feature. Also noteworthy are the four floor-to-ceiling, multi-paned casement windows, the original doorway with its four-panelled wood door and transom, and the four dormers (pre-1946) with curved roofs and casement windows. The only major alteration is the large horizontal window to the left of the front doorway, added when the house was extensively renovated in the 1940s.

Designated Features

Important to the preservation of 988 Concession Street are the original features of all four facades and rear summer kitchen wing, including the stucco finish, the original windows and doorways, and the hipped roof with its four pre-1946 dormers, tall chimney and decorative brackets. Excluded are these later alterations: the two horizontal windows (front and rear) and the dormer added at the rear.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Licensing By-law No. 79-323

As Amended by By-law Nos. 89-249 and 89-316

Respecting:

ILLUMINATED ROOF SIGN FOR TAXI-CABS

WHEREAS paragraph 1 of Section 227 of the Municipal Act, R.S.O. 1980, c. 302 provides that the council of a municipality may pass by-laws for licensing, regulating and governing owners and drivers of vehicles used for hire or any class or classes thereof, and for limiting the number of vehicles used for hire, or any class or classes thereof;

AND WHEREAS By-law No. 79-323 was passed on the 27th day of November 1979 to establish "The City of Hamilton Licensing Code, 1979";

AND WHEREAS Schedule 4 to Licensing By-law No. 79-323 licenses, regulates and governs taxi-cabs;

AND WHEREAS By-law No. 89-249 was passed to amend and consolidate Schedule 4 to Licensing By-law No. 79-323, and By-law No. 89-316 amended the said Schedule 4;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item of the Report of the Finance and Administration Committee, at its meeting held on the th day of 1990, directed that Licensing By-law No. 79-323, as amended, be further amended to provide for rooftop advertising as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Paragraph 19 of section 12 of Schedule 4 to Licensing By-law No. 79-323 is revoked, and the following substituted therefor as Paragraph 19 :

19. Display or permit to be displayed no advertisement, whether a sign, picture or painted message, on or in the taxi-cab except,

(1) Not more than five interior advertising signs, each not exceeding 26 centimetres by 31 centimetres in size, placed on the back of the front seat in such a way as to not obscure the vision of the driver, or the view from the rear seat of the vehicle of the photo identity card, meter, licence and tariff card; and

(2) One rooftop mounted sign with interior illumination, provided that ;

- (a) the sign does not exceed 122 centimetres in length, 79 centimetres in width, and 46 centimetres in height,
 - (b) the sign is securely mounted to the vehicle, so that the sign and any advertising materials exhibited are unlikely to loosen or separate from the vehicle during operation,
 - (c) if the said rooftop sign obstructs or replaces any taxi roof sign required under paragraph 10 of section 12 of this Schedule, the vehicle shall have visible, from the front and rear of the vehicle, a rooftop sign with the same operation and content as that required under the said paragraph 10, indicating the name, number and owner of the taxi-cab, or its brokerage, and
 - (d) further provided that upon the addition of the rooftop sign to the vehicle, any exterior advertisement, except those for the taxi-brokerage but including the type mentioned in sub-paragraph (3), must be removed the sooner of when the vehicle is repainted, replaced, or the second anniversary of the date of passage of this by-law.
- (3) One exterior painted advertisement measuring not more than 16 centimetres by 92 centimetres in size, provided that said advertisement is painted on the rear end of the vehicle and does not cover the licence plates, unless the rooftop sign permitted in sub-paragraph (2) above is added to the vehicle, in which case clause (d) above applies to the removal of the advertisement.

2. In all other respects, Licensing By-law No. 79-323, as amended, is hereby confirmed, unchanged.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990)

BY-LAW NO. 90 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27th DAY OF NOVEMBER A.D., 1990.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 1990

CITY CLERK

MAYOR

CA40NHBLAOS
A31

URBAN/MUNICIPAL

1990

Bill No. A-146

URBAN MUNICIPAL

DEC 18 1990

GOVERNMENT DOCUMENTS

The Corporation of the City of Hamilton

BY-LAW NO. 90-

**TO PROHIBIT CANADIAN PACIFIC LIMITED FROM TRAIN WHISTLING
AT MILEAGE 51.90 FORT ERIE SUBDIVISION**

WHEREAS Rule 14 (L) of the Uniform Code of Operating Rules, C.R.C. 1978, c. 1175, as amended, requires Canadian Pacific Limited to sound their train whistles at public grade crossings;

AND WHEREAS Subsection 230(1) of the Railway Act, R.S.C. 1985, c. R-3, as amended by Section 94 of the Railway Safety Act, R.S.C. 1985, Chapter 32, 4th Supplement, provides as follows:

230. (1) The Commission may make orders and regulations generally providing for the accommodation and comfort of the public in the running and operating of trains;

AND WHEREAS the sounding of train whistles at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision), is causing a nuisance and discomfort to the residents of Hamilton living near the crossing;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 9 of the 14th Report of the Transport and Environment Committee on the 30th day of October 1990, authorized the preparation of a by-law prohibiting Canadian Pacific Limited from sounding their train whistles at the grade crossing at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision).

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Corporation of the City of Hamilton hereby prohibits Canadian Pacific Limited from sounding their train whistles at the grade crossing situated at Greenhill Avenue, Hamilton - CP Rail Fort Erie Subdivision, Mileage 51.90 (formerly, Mileage 31.99 Welland Subdivision).

2. This by-law shall come into force if and only when the National Transportation Agency grants the application of The Corporation of the City of Hamilton, for an order requiring Canadian Pacific Limited to stop sounding their train whistles at the grade crossing referred to in Section 1.

PASSED this

day of

A.D. 1990.

City Clerk

Mayor

(1990) 14 R.T.E.C. 9, October 30

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 26 (No Parking Areas) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by deleting therefrom the following items, namely:-

"Carling	North	Macklin to Paradise
Moxey	Both	Mohawk to Rideau".

and by adding thereto the following item, namely: -

"Moxey	East	Mohawk to Rideau".
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2. Schedule 27 (Alternate Side Parking) is hereby amended by adding thereto the following item, namely:-

"Carling	North	South".
Paradise to Macklin		

PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

BY-LAW NO. 90 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 29 (No Stopping Areas) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following item, namely:-

"Moxley	West	Mohawk to 113 feet south	Anytime."
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PASSED THIS DAY OF , A.D. 19 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 5 of the 22nd Report of the Parks and Recreation Committee, at its meeting held on the 11th day of December 1990, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1991.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-17, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363 and 90-16, is further amended by deleting Schedule "B-1990" and substituting in lieu thereof Schedule "B-1991", hereto annexed and forming part of this by-law.

(b) In all other respects, By-law No. 8861, as amended, is hereby confirmed, unchanged.

2. This by-law comes becomes effective on the 2nd day of January, 1991.

3. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this by-law.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 22 R.P.R.C. 5, December 11

SCHEDULE "B-1991"

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGESJanuary 2, 1991

(Cemeteries By-law No. 8861)

	Resident and Non-Resident <u>Realty Taxpayers</u>	<u>Non-Residents</u>
<u>OPENING AND CLOSING</u>		
6 ft. Adult		
8 ft. Adult	386.00	449.00
6 ft. Child - case up to 42"	523.00	583.00
- case 43" to 60"	230.00	342.00
- case 61" to 72"	263.00	376.00
8 ft. Child - case up to 60"	292.00	425.00
- case 61" to 72"	292.00	425.00
Baby Special - Up to one month old	325.00	472.00
Cremation	44.00	71.00
Mansion of Memories (Stoney Creek - New Crypts only)	128.00	183.00
	317.00	373.00
<u>LOWERING</u> (Opening Charges not included)		
Adult - From 6 ft. to 8 ft. - Shell		
- From 6 ft. to 8 ft. - Steel Vault	264.00	400.00
- From 6 ft. to 8 ft. - Concrete Vault .	515.00	770.00
	614.00	923.00
Child - From 6 ft. to 8 ft. - 5 to 10 years ..		
- From 6 ft. to 8 ft. - under 5 years ..	183.00	272.00
	88.00	129.00
<u>REMOVALS</u>		
Adult- Shell		
- Concrete Vault or Crypt	1,391.00	2,140.00
	1,135.00	1,698.00
Child - Shell		
- Concrete Vault or Crypt	330.00	514.00
	353.00	523.00
Cremation		
	128.00	183.00
<u>SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE</u>		
<u>Adult Single Grave (3½' x 10') (4' x 9') (4' x 10')</u>		
Graves cannot be selected or purchased in advance but are opened in sequence	371.00	458.00
<u>Preferred Single Grave (3½' x 10') (4' x 10')</u>		
Where grave may be selected and purchased in advance of need	621.00	767.00
<u>Child Single Grave</u>		
Case up to 60" (2' x 5')	89.00	116.00
Case 61" to 72" (3' x 6')	132.00	172.00
<u>Urn Garden (1-3/4' x 5')</u>	207.00	251.00
<u>Veteran's Grave (3½' x 10')</u>	352.00	
<u>Social Services Grave (3½' x 10') (4' x 9') (4' x 10')</u> ...	371.00	
<u>Two-Grave Lot (7' x 10') (6' x 12') (8' x 10')</u>	1,423.00	1,774.00
<u>Two-Grave Lot - Eastlawn Section 15, 16 (6' x 12')</u>		
(6' burials only)	1,162.00	1,450.00

	<u>Resident and Non-Resident Realty Taxpayers</u>	<u>Non-Residents</u>
<u>Three-Grave Lot</u> - Woodland Section 17 (10½' x 10')	2,125.00	2,659.00
<u>Four-Grave Lot</u> - Woodland Section 15 (12' x 12')	5,147.00	6,429.00
<u>Four-Grave Lot</u> - Woodland Sections 21, 22, 25 (10' x 14') (12' x 12')		
- Eastlawn Section 19 (12' x 12')	2,786.00	3,542.00
<u>Four-Grave Lot</u> - Trinity (8' x 16')	2,618.00	3,322.00
<u>Mansion of Memories</u> - Mausoleum Crypt	992.00	1,090.00
<u>Baby Special</u>	39.00	41.00

ADDITIONAL SERVICES

<u>CRYPTS</u>	Child	230.00
	Youth	240.00
	Standard	250.00
	Intermediate	260.00
	Oversize	270.00

<u>PLANTING</u>	Preparing ground and planting flowers per grave	37.00
	Preparing ground and planting one shrub	48.00
	(Flowers and shrubs are to be provided by the family at their expense.)	

<u>MISC.</u>	Tent in cemetery	118.00
	Rental of tent outside cemetery	161.00
	Rental of dressing for use outside cemetery	128.00
	Rental of lowering device outside cemetery	128.00
	Transfer Fee \$2.00 + Research \$22.00 ...	24.00

NOTE: 35% of all lot and grave sales goes into Perpetual Care

FOUNDATIONS AND MARKERS

<u>Foundation</u> - pouring per square inch of surface area (to be poured 6 feet deep)	.88	1.32
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<u>Marker Setting Fee</u> (maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)	107.00	165.00
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<u>Social Service Marker</u>	107.00	144.00
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<u>Bronze Vase</u>	107.00	165.00
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<u>D.V.A. Upright</u>	90.00	
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<u>D.V.A. Flat</u>	90.00	
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Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

Singles Graves in a Row

A flat granite marker, maximum 24" in length and 18" in width is permitted.

Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

4

Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

- 7

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 158 MARY STREET

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding Section 10(1) of By-law No. 6593, the following additional uses shall be permitted only within the building existing at the date of the passing of the by-law:

(i) COMMERCIAL USE

1. A water treatment sales office.

(ii) ACCESSORY USE

1. One ground sign, wall sign, or projecting sign having an area of not more than 0.4 m² non-illuminated or illuminated by non-flashing indirect or interior means only, located not less than 1.5 m from the nearest street line in connection with the commercial use.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1205.

4. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1205.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

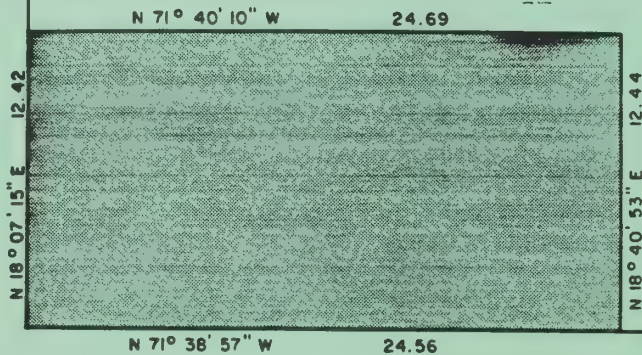
PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 20 R.P.D.C. 7, November 13
763225 Ontario Inc. (S. Hodgskiss), Owner
ZA-90-66

MARY STREET



CANNON STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 90-.....
Passed the day of, 1990.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 90-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 90-

North



Scale
NOT TO SCALE

Date
NOVEMBER, 1990

Reference File No.
ZA 90 - 66

Drawn By
L.B.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1650 UPPER OTTAWA STREET

WHEREAS it is intended to establish special requirement under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-15" (Prestige Industrial) District provisions, as contained in Section 17G of Zoning By-law No. 6593, applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement that,

(a) notwithstanding Section 17G(1)(b) of By-law No. 6593, the following Commercial Use shall be permitted:

S.I.C.
Number

Commercial Use

6399

Other Motor Vehicle Services, n.e.c.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-15" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1210.

4. Sheet No. E-49E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1210.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

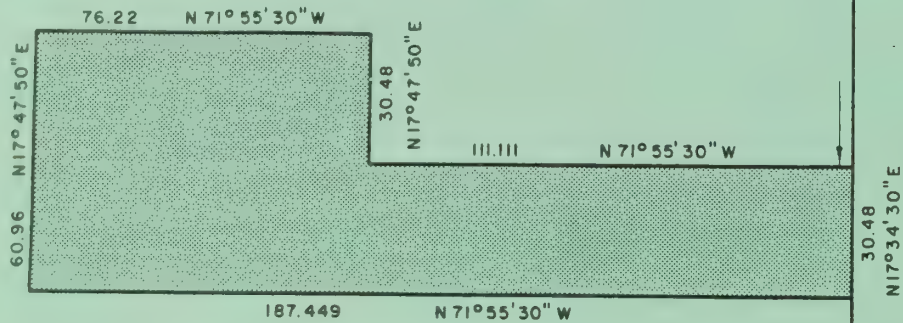
day of

A.D. 1990.

City Clerk

Mayor

RYMAL ROAD WEST



UPPER OTTAWA STREET

NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-
PASSED THE _____ DAY OF _____ 1990

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 90-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

LEGEND

 LANDS TO BE REGULATED
BY BY-LAW NO. 90 -

North



Scale

NOT TO SCALE

Date

NOV. 27, 1990

Reference File No.

ZA 90-75

Drawn By

Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1209-1223 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 2; and
- (c) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2, and 3 are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block 1, referred to in section 1, shall be subject to the special requirement that,

- (a) upon the availability of all such municipal sewers serving the subject lands as the City deems necessary, the 'H' symbol shall be removed by amendment to this by-law, and the development of the lands referred to in section 1 may proceed in accordance with the "C" District provisions.

3. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 2, 3 and 4, shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A(3)(a) of By-law No. 6593, a front yard of not less than 24.0 m shall be provided and maintained;
- (b) a landscaped strip not less than 3.0 m in width, excluding any vehicular access, shall be provided and maintained adjacent to the Upper James Street road allowance;
- (b) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained within a landscaped strip not less than 6.0 m in width, to be provided and maintained along the southerly side lot line and easterly rear lot line of Block 2.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1209.

6. Sheet No. E-9B of the District Maps is amended by marking the lands referred to in section 3 of this by-law, S-1209.

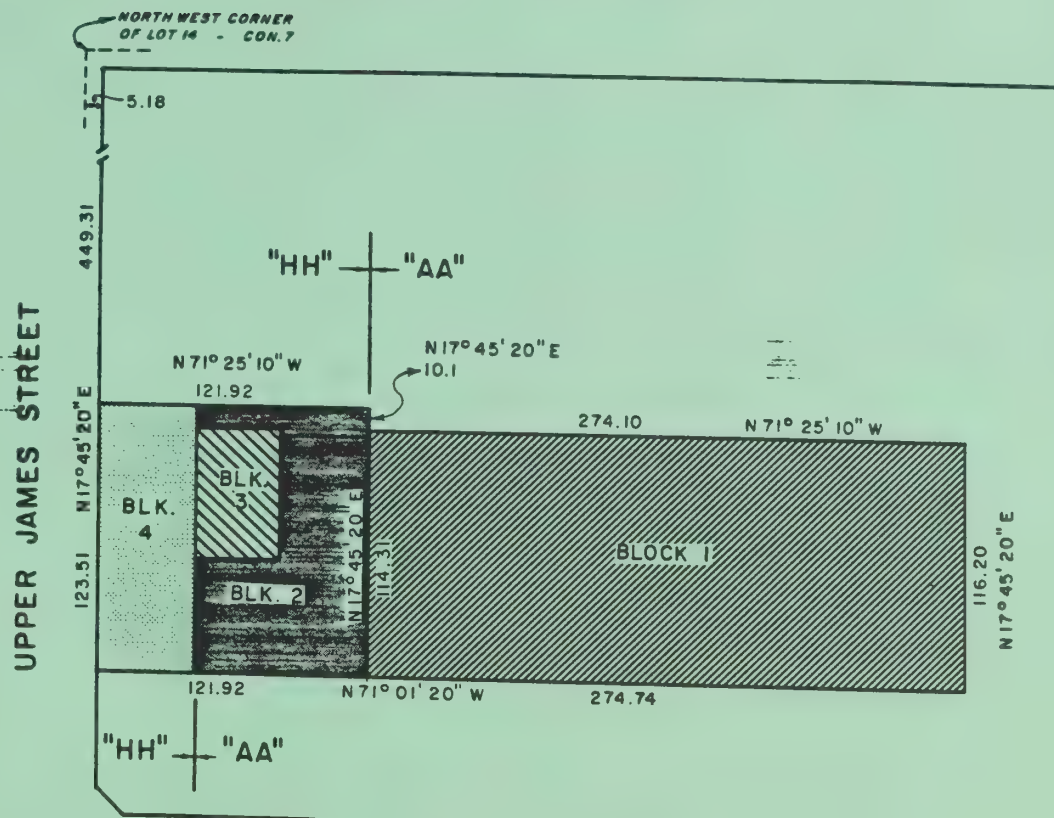
7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1990.

City Clerk

Mayor

LIMERIDGE ROAD EAST



NOTE: ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 90-
PASSED THE _____ DAY OF _____

Clerk

Mayor

North



Scale
NOT TO SCALE

Date
NOV. 29, 1990

Reference File No.
ZA 90-63

Drawn By
Z. K.

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO. 90-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

CHANGES IN ZONING FROM:



"AA" (AGRICULTURAL) DISTRICT TO
"C" - "H" (URBAN PROTECTED RESIDENTIAL,
ETC. - HOLDING) DISTRICT.



"AA" (AGRICULTURAL) DISTRICT TO
"HH" (RESTRICTED COMMUNITY SHOPPING
AND COMMERCIAL) DISTRICT.



"AA" (AGRICULTURAL) DISTRICT, MODIFIED
TO "HH" (RESTRICTED COMMUNITY
SHOPPING AND COMMERCIAL) DISTRICT.



MODIFICATION TO THE "HH" (RESTRICTED
COMMUNITY SHOPPING AND COMMERCIAL)
DISTRICT.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Adopt:

Official Plan Amendment No. 96

Respecting:

LANDS LOCATED ON THE WEST SIDE OF RICE AVENUE, SOUTH OF CHEDMAC DRIVE
WITHIN THE MOUNTVIEW NEIGHBOURHOOD

The Council of The Corporation of the City of Hamilton
enacts as follows:

1. Amendment No. 96 to the Official Plan of the Hamilton
Planning Area consisting of Schedule 1, hereto annexed and forming
part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval
of the Official Plan Amendment referred to in section 1 above, as
may be requisite, be obtained and for the doing of all things for
the purpose thereof.

PASSED this day of A.D. 1990.

City Clerk

Mayor

(1990) 21 R.P.D.C. 14(a), November 27
Presbyterian Residences (Hamilton), Inc.
Prospective Owner
ZA-90-67

AMENDMENT NO. 96
TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 96.

PURPOSE

The purpose of this Amendment is to redesignate the subject lands from "Major Institutional" to "Residential" on Schedule "A" - Land Use Concept of the Official Plan.

LOCATION

The lands affected by this Amendment are located on the west side of Rice Avenue, south of Chedmac Drive, within the Mountview Neighbourhood.

BASIS

The proposal is for a senior citizens community consisting of a six storey 82 unit apartment building; 18 two storey stacked townhouse units; 34 one storey townhouse units; a residential care facility for 12 residents; and an amenity centre. The basis for permitting the proposal is as follows:

- it is compatible with the surrounding land uses including residential to the south;
- the lower density development (19 units per acre) is located on the periphery of the neighbourhood;
- it will provide for a variety of living accommodations for senior citizens; and,
- it is located in close proximity to public transit routes, community facilities, medical facilities, etc.

ACTUAL CHANGE

Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.

IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 90-_____, passed on the _____ day of _____, 1990.

**THE CORPORATION OF THE
CITY OF HAMILTON**

City Clerk

Mayor

C.L.M.:ns
A:\AMENDMEN

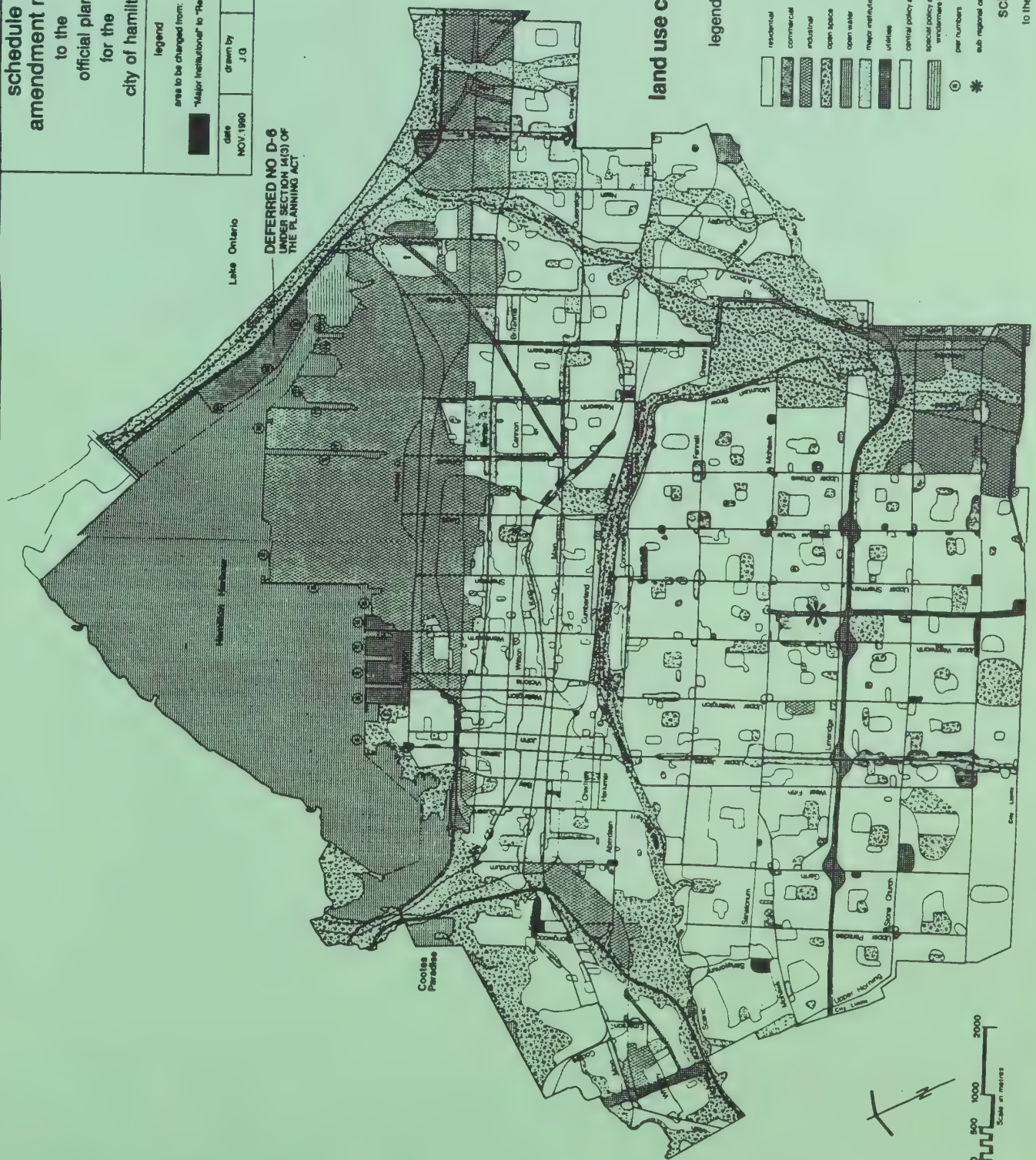
schedule A
amendment no. 96
 to the
 official plan
 for the
 city of hamilton

legend
 area to be changed from:
 "Major Institutional" to "Residential"

date
 NOV. 1990
 drawn by
 J.G.
 reference file no.
 6 - 2 - 96

DEFERRED NO. D-6
 UNDER SECTION 14(3) OF
 THE PLANNING ACT

Lake Ontario



land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central policy area
- special policy area
- windermere basin
- per numbers
- sub regional centre

schedule A
 to the official plan
 for
 the city of hamilton
 NOV. 4, 1990



The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE SOUTH SIDE OF RYMAL ROAD EAST
BETWEEN GLOVER ROAD AND TRINITY CHURCH ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS the required change in zoning of Block 4 shown on Schedule "A" annexed hereto became apparent after the plan of subdivision for the land was prepared.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-69E and E-79E of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "M-14" (Prestige Industrial) District, the land comprised in Block 1, and
- (b) by changing from "M-12" (Prestige Industrial) District to "M-14" (Prestige Industrial) District, the land comprised in Blocks 2, 3 and 4, and
- (c) by changing from "M-14" (Prestige Industrial) District to "M-12" (Prestige Industrial) District, the land comprised in Blocks 5 and 6,

the extent and boundaries of each of which Blocks 1, 2, 3, 4, 5 and 6 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this

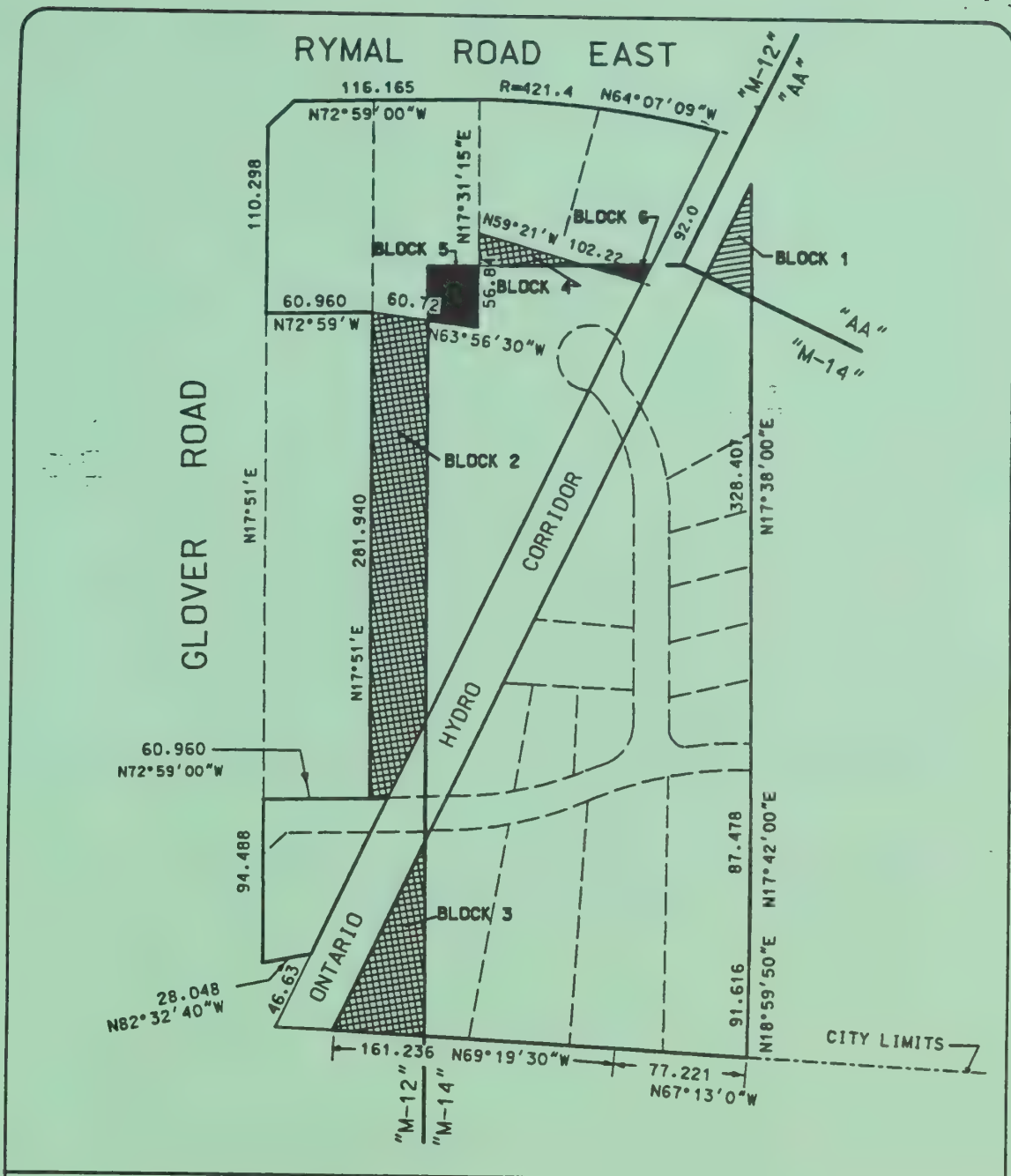
day of

A.D. 1990.

City Clerk

Mayor

(1990) 11 R.P.D.C. 16, May 29
Arbra Developments, Inc., Owner
Amended ZA-89-96



This is Schedule "A" to By-Law No. 90-____
 Passed the _____ day of _____, 1990.

 Clerk

 Mayor

NOTE: All dimensions are in metres

City of Hamilton
Schedule A
 Map Forming Part of
 By-Law No. 90-____
 to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend
 Change in zoning from:

- BLOCK 1 "AA" (Agricultural) District to "M-14" (Prestige Industrial) District.
- BLOCK 2, 3 & 4 "M-12" (Prestige Industrial) District to "M-14" (Prestige Industrial) District.
- BLOCK 5 & 6 "M-14" (Prestige Industrial) District to "M-12" (Prestige Industrial) District.



Scale
 NOT TO SCALE

Date
 NOVEMBER, 1990

Reference File No.
 ZA89-96

Drawn By
 T.A.

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend Zoning By-law No. 90-232

Respecting:

REGULATION OF GUN SHOPS

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-232 on the 31st day of July 1990, to amend By-law No. 6593 by establishing a definition for gun shop and the zoning districts wherein gun shops could be located, which by-law came into force on the day it was passed in accordance with Section 34(19) of the Planning Act, 1983, S.O. 1983, c. 1;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 8 of the 22nd Report of the Planning and Development Committee at its meeting held on the 11th day of December 1990, recommended that Zoning By-law No. 90-232 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 90-232 is amended by deleting the word "Gunshop" in the third line and substituting in lieu thereof the words "Gun shop".
2. Section 5 of By-law No. 90-232 is amended by deleting the numerals "17F(1)(a)" and "17G(1)(a)" in the second line and substituting in lieu thereof the numerals "17F(1)(b)" and "17G(1)(b)".
3. Section 6 of By-law No. 90-232 is amended by deleting the word "gunshop" in the seventh line and substituting in lieu thereof the words "gun shop".
4. In all other respects, By-law No. 90-232 is hereby confirmed, unchanged.

PASSED this

day of

A.D. 1990.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend:

Municipal Tax Levy By-law No. 71-69

Respecting:

FEE FOR TREASURER'S TAX CERTIFICATE

WHEREAS section 408 of the Municipal Act, R.S.O. 1980, Chapter 302 provides that an amount may be charged for the cost of a search and certified statement of arrears due on the land on each separate parcel except to any person who forthwith pays his taxes;

AND WHEREAS it is desirable to charge the amount of \$15.00 in place of the present charge of \$10.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 18(3) of By-law No. 71-69, as re-enacted by section 1 of By-law No. 85-7, and amended by By-law No. 87-353, is further amended by striking out "\$10.00" at the end of the second line and inserting in lieu thereof "\$15.00".

2. This by-law comes into force on the 1st day of January 1991.

PASSED this day of A.D. 1990.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 90-

To Amend Market By-law No. 81-180

Respecting FEES

WHEREAS By-law No. 81-180, passed on the 23rd day of June 1981, provides in Schedule "B" thereof for the establishment of fees for the use of the Hamilton Farmers' Market;

AND WHEREAS Schedule "B" to By-law No. 81-180 was re-enacted and amended by By-law No. 81-267, By-law No. 82-34, By-law No. 83-024, By-law No. 84-278, By-law No. 86-60, By-law No. 86-340, By-law No. 87-324, By-law No. 87-352, By-law No. 88-269, and By-law No. 89-372;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 20 of the 25th Report of the Finance and Administration Committee, at its meeting held on the 13th day of November 1990, directed that Market By-law No. 81-180, as amended, be further amended to revise the fees in Schedules "B" and "1", effective the first day of January 1991, as hereinafter provided;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 81-180, as added to by Schedule "1", and as re-enacted and amended aforesaid, is repealed, and Schedule "B" to this By-law substituted therefor.
2. In all other respects, By-law No. 81-180, as re-enacted and amended, is hereby confirmed without change.

PASSED this day of December, A.D. 1990.

City Clerk

Mayor

(1990)

SCHEDULE "B"

2

To By-law No. 90-

SCHEDULE "B"
(Section 7)

PART 1 : PRODUCERS AND DEALERS FEES

Stand Number	Location	Amount of Producers and Dealers Fees	
		Per Month	Per Day
1 to 8	(Refrigeration Units)	\$265.00	N/A
12 to 18	(Refrigeration Units)	\$265.00	N/A
22	(Refrigeration Units)	\$265.00	N/A
9,10,11	(Refrigeration Units)	\$221.00	N/A
19,29,21	(Refrigeration Units)	\$221.00	N/A
23 to 46	RAMP	\$154.00	\$24.00
47 TO 62a	North Wall - Main Floor	\$154.00	\$24.00
63 to 70	West Wall - Main Floor	\$154.00	\$24.00
71 to 95	South Wall - Main Floor and Under Ramp	\$154.00	\$24.00
96 to 100	Loading Docks (from 7:30 a.m. to 4:00 p.m.)	\$154.00	\$24.00
101 to 111	East Wall - Main Floor	\$154.00	\$24.00
112 to 143	Stands in Middle from East to West (North Side)	\$154.00	\$24.00
144 to 175	Stands in Middle from West to East (South Side)	\$154.00	\$24.00
30a, 35a, 37a, 46a		\$ 85.00	\$11.50
70a, 72a		\$ 65.00	\$11.50
92		\$217.00	\$24.00
176	Coffee Shop	\$308.00	N/A

PART 2 : DEALERS FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

Stand No.'s	Dealers Fees per Annum
-----	-----
1 to 76	\$89.00

PART 3 : PRODUCERS AND DEALERS FEES FOR ADJACENT STANDS

Fee for one stand when available, immediately adjacent to a stand for which
an annual fee is paid in advance.....\$7.00 per day.

PART 4 : FRIDAY MARKET FEES

8 FT. Refrigeration Unit	\$17.00 per day
12 FT. Refrigeration Unit	\$21.00 per day
Regular Stands	\$12.00 per day
Each Additional Stand	\$ 7.00 per day
Coffee Shop	\$23.00 per day
Daily Users Fees	\$21.00 per day

BY-LAW NO. 90 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11th DAY OF DECEMBER A.D., 1990.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1990

CITY CLERK

MAYOR



K.E. AVERY
CITY CLERK

J.J. SCHATZ
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON
OFFICE OF THE CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

TEL: 546-2700
FAX: 546-2095

CA40NHBLA05

URBAN/MUNICIPAL
A31

1990

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, December 11, 1990
7:30 o'clock p.m.
Council Chambers, City Hall

AGENDA

1. Opening Prayer

Reverend George Horton
King Street Baptist Church
458 King Street West

2. Civic Award Presentation

Mr. Mark Hebert and Mr. Gordon McLean -
Ontario Provincial Junior Ten Pin Bowling Championships

3. Minutes

November 27, 1990

4. Petitions and Correspondence

URBAN MUNICIPAL

DEC 18 1990

GOVERNMENT DOCUMENTS

5. Reports of the Standing Committees

- (a) Transport and Environment Committee
- (b) Parks and Recreation Committee
- (c) Planning and Development Committee
- (e) Licensing Committee
- (f) Report of His Worship Mayor R. M. Morrow
- (h) Finance and Administration Committee

6. Notices of Motion for Next Meeting

7. First Reading of the Bills

8. Second Reading of the Bills - Committee of the Whole

9. Third Reading of the Bills

10. Question Period

11. Adjournment

MINUTES

MEETING OF HAMILTON CITY COUNCIL
Tuesday, November 27, 1990
7:30 o'clock p.m.
Council Chamber

The Council met.

PRESENT: Robert M. Morrow, Mayor
Aldermen T. Cooke, M. Kiss, V. Agro, W. McCulloch, B. Hinkley,
D. Drury, G. Copps, D. Wilson, D. Agostino, T. Jackson,
V. Formosi, H. Merling, T. Murray, D. Ross.

ABSENT: Alderman F. Lombardo - absent
Alderman J. Gallagher - civic business

His Worship Mayor Robert M. Morrow called the meeting to order.

* * * * *

Reverend Aleksandar Mustenikov, Macedonian Orthodox Church, led the Council in prayer.

* * * * *

The following presentation was made:

City of Hamilton Re: Tim Horton's International Hockey Tournament

* * * * *

His Worship Mayor Robert M. Morrow read the following Proclamations:

"Commonwealth of Dominica Day" November 16th, 1990

"Human Rights Day" December 10th, 1990

"Human Right Week" December 10th to 16th, 1990

* * * * *

The Minutes of the meeting of November 13, 1990 and the special meetings of November 19, 1990 and November 21, 1990 were taken as read and approved.

* * * * *

The following correspondence was received:

1. Letter dated 1990 November 23 from Eric Grove, Consultant opposing the proposed change in zoning referred to in Section 14 of the Twenty First Report of the Planning and Development Committee of property located on the west side of Rice Avenue, south of Chedmac Drive, Hamilton, Ontario.

Received.

2. Petition signed by residents opposed to the change in zoning of property located at 690 Main Street West, as approved by City Council at its meeting on November 13, 1990. This petition was received by the City Clerk on Monday, November 12, 1990.

Received.

3. Application dated 1990 November 13 from the Rector and Church Wardens of Christ's Church Cathedral, 252 James Street North, Hamilton, Ontario for a modification to the "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District and to the "H" (Community Shopping and Commercial, etc.) District for property at 252 James Street North, Hamilton, Ontario.

Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Finance and Administration Committee, the Nominating Committee and the Report of His Worship Mayor Morrow, with Alderman McCulloch in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Merling, Murray, Ross. -15.

NAYS: 0 -

* * * * *

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTEENTH REPORT.

Section 8 Re: Promotional Banner across Main Street
National Dental Hygiene Week

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury,
Wilson, Agostino, Jackson, Formosi, Merling, Murray, Ross. -14.

NAYS: Alderman Copps. 1 -

CARRIED.

* * * * *

PARKS AND RECREATION COMMITTEE - TWENTY-FIRST REPORT

* * * * *

PLANNING AND DEVELOPMENT COMMITTEE - TWENTY-FIRST REPORT

* * * * *

INFORMATION SYSTEMS REPORT - SEVENTH REPORT

* * * * *

FINANCE & ADMINISTRATION COMMITTEE - TWENTY-SIXTH REPORT

Section 11 Re: Grant - President's Dinner and Citation Awards
Canadian Country Music Week Convention

It was moved by Alderman Murray and seconded by Alderman Ross

Resolved: That Section 11 of the 26th Report of the Finance and Administration
Committee be referred back.

Recorded Vote:

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Drury,
Wilson, Formosi, Merling, Murray, Ross. -9.

NAYS: Aldermen Kiss, Agro, Hinkley, Copps, Agostino, Jackson. 6. **CARRIED.**

* * * * *

NOMINATING COMMITTEE - SIXTH REPORT

* * * * *

THE REPORT OF HIS WORSHIP MAYOR MORROW - FOURTH REPORT

Section 1 Re: Establishing a Committee to investigate bringing Grey Cup Festivities and Game to Hamilton.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Hinkley, Wilson, Agostino, Jackson, Formosi. -9.

NAYS: Alderman Copps. 1 CARRIED.

* * * * *

Section 2 Re: Advocating a lottery as a fund-raising vehicle for the Hamilton Tiger Cat Football Club.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Hinkley, Wilson, Agostino, Jackson, Formosi. -9.

NAYS: Alderman Copps. 1 CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That Alderman Brian Hinkley be appointed the Acting Mayor for the month of December, 1990.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Information Systems Committee, the Finance and Administration Committee, the Nominating Committee and the Report of His Worship Mayor Morrow, and resolutions, be adopted.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Murray. -13.

NAYS: 0 - **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the following Bills be now read a first time:

A-139, A-140, A-141, A-142, A-143, A-144, A-145.

C-161, C-162, C-163, C-164, C-165, C-166, C-167, C-168, C-169.

H-115, H-116.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Murray. -13.

NAYS: 0 - **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman McCulloch in the chair. (second reading)

A-139, A-140, A-141, A-142, A-143, A-144, A-145.

C-161, C-162, C-163, C-164, C-165, C-166, C-167, C-168, C-169.

H-115, H-116.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Murray. -13.

NAYS: 0 -

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the Report of the Committee of the Whole (second reading) on the following Bills, be adopted. -

A-139, A-140, A-141, A-142, A-143, A-144, A-145.

C-161, C-162, C-163, C-164, C-165, C-166, C-167, C-168, C-169.

H-115, H-116.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Murray. -13.

NAYS: 0 -

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the following Bills, be now read a third time, signed, sealed and enrolled as By-laws

A-139, A-140, A-141, A-142, A-143, A-144, A-145.

C-161, C-162, C-163, C-164, C-165, C-166, C-167, C-168, C-169.

H-115, H-116.

Recorded Vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Wilson, Agostino, Jackson, Formosi, Murray. -13.

NAYS: 0 -

CARRIED.

* * * * *

City Council then adjourned at 9:15 o'clock p.m.

CORRESPONDENCE

Correspondence

1. Letter dated 1990 November 22 from the Town of Vaughan respecting the Town of Vaughan petitioning the Ontario Government to conduct a review of the Ontario Municipal Board's role and operation.

Recommendation: **Be Referred to the Planning and Development Committee.**

2. Letter dated 1990 November 27 from the Town of Vaughan respecting the Ontario Government Housing Policy.

Recommendation: **Be Referred to the Planning and Development Committee.**

3. Letter dated 1990 November 28 from the Town of Vaughan respecting property taxes.

Recommendation: **Be Referred to the Finance and Administration Committee.**

4. Letter dated 1990 November 23 from the Corporation of the City of Cambridge respecting a resolution regarding Public Libraries User Rate.

Recommendation: **Be Referred to the Finance and Administration Committee.**

5. Letter dated 1990 November 30, from K. E. Avery, City Clerk, advising objection(s) received to By-law Number 90-286. (previously submitted)

Recommendation: **Be Received.**

6. Letter dated 1990 November 30, from K. E. Avery, City Clerk, advising objection(s) received to By-law Number 90-283. (previously submitted)

Recommendation: **Be Received.**

7. Application dated 1990 November 26 from Ivan Zupancic, 20 Alder Court, Stoney Creek, Ontario for a modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District for property located at 298 Grays Road, Hamilton.

Recommendation: **Be Received.**



RECEIVED

NOV 27 1990

CITY CLERKS

November 22, 1990

Mr. Keith Avery, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir:

SUBJECT: ONTARIO MUNICIPAL BOARD

For the consideration and attention of your Council, please find enclosed herewith a copy of an extract from the Town of Vaughan Council minutes of its meeting held on November 6, 1990. In five recent Ontario Municipal Board decisions, Vaughan Council refused rezoning applications and the Board allowed the appeal and amended the by-law accordingly. Vaughan Council strongly opposes these actions and is petitioning the Ontario Government to conduct a review of the Ontario Municipal Board's role and operation.

Should a review of the Board's role and operation be undertaken as requested, Council believes that the following matters should be specifically addressed:

- 1) Should one Board member only, presiding at a hearing, have the authority to overturn a council's decision, especially when such can dramatically impact on the well being of the residents?
- 2) Should the Board be the only and final authority of all matters under its jurisdiction?
- 3) Should the Board be able to amend an official plan which was previously approved by the Board and where such an amendment has been declined by the council of the Municipality?
- 4) Since the role of the Board has changed somewhat in recent years, becoming less than a quasi-judicial system, should its members be elected rather than appointed?

.../2

- 5) Review the role and responsibilities of Municipal elected official, vis-a-vis the Board, when such has the power, often on one person's decision to overturn a unanimous Council's decision which can represent the views of hundreds of thousands of people.

Vaughan Council requests that the resolution petitioning the Ontario Government to conduct a full review of the role and operation of the Ontario Municipal Board be endorsed, and urges your Council to consider passing a similar resolution raising concerns it may have with respect to the role and operation of the Ontario Municipal Board.

Your cooperation in placing this matter before your Council for consideration is appreciated.

Sincerely,



J.D. Leach
Town Clerk

23. RESOLUTION - ONTARIO MUNICIPAL BOARD

MOVED by Councillor Green

seconded by Regional Councillor Di Biase

WHEREAS there have recently been a number of Ontario Municipal Board (Board) hearings in which the Board has overturned the planning decisions of the Council of The Corporation of the Town of Vaughan;

AND WHEREAS the Board has apparently imposed these decisions without proper regard for the concerns of the elected representatives and the residents who will be directly affected by the decisions;

AND WHEREAS the Planning Act, 1983, has given the authority to adopt official plan amendments, to enact zoning by-laws and to approve site plans to the councils of local municipalities;

AND WHEREAS it is of great concern to the Mayor and Members of Council, and the residents of the Town of Vaughan, that their opinions are not being given sufficient weight by the Board;

AND WHEREAS the role and operation of the Board should be the subject of a review by the Ontario Government;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Town of Vaughan inform Premier Rae, the Ministers of Housing and Municipal Affairs, and the Attorney General, that it strongly objects to the apparent disregard by the Ontario Municipal Board in these decisions for the concerns and opinions of the elected representatives and the residents they represent;

AND THAT it be requested that the Ontario Municipal Board give more weight to the opinions of the Council, in accordance with the principle that the elected representatives are in the best position to assess the needs and desires of their community, as expressed by the Board itself in the Major Holdings and Developments Limited v City of Cambridge 1980 decision;

AND THAT the Ontario Government be petitioned to undertake a full review of the Board's role and operation;

AND THAT Mr. Greg Sorbara, M.P.P. York Centre, the Association of Municipalities of Ontario, all municipalities in the Greater Toronto Area, and all municipalities with a population over 50,000 be so advised.

CARRIED

EXTRACT FROM COUNCIL MEETING MINUTES 6 NOVEMBER 1990

MOVED by Councillor Rosati
seconded by Councillor Cipollone

THAT the Town Clerk be directed to prepare a letter, with background information, to be forwarded to Mr. Greg Sorbara, M.P.P. York Centre, the Association of Municipalities of Ontario, all municipalities in the Greater Toronto Area and all municipalities with a population over 50,000;

AND THAT a copy of the letter be provided to all Members of Council prior to same being mailed.

CARRIED

ACTION DEPT. _____

INFO. DEPT. _____

FOR NEXT COUNCIL _____



RECEIVED

NOV 30 1990

CITY CLERKS

2

November 27, 1990

Mr. Keith Avery, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

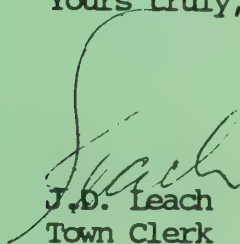
Dear Mr. Avery:

RE: ONTARIO GOVERNMENT HOUSING POLICY

For your attention please find enclosed an extract of Town of Vaughan Council minutes for its regular meeting held on 20 November 1990 setting out Council's position with respect to provincial government housing policy. It would be most appreciated if you would place this matter before your Council for consideration.

Thank you for your co-operation.

Yours truly,



J.D. Leach
Town Clerk

JDL/km

EXTRACT FROM COUNCIL MEETING MINUTES 20 NOVEMBER 1990

41. MOTION - HOUSING POLICY

Council resolved:

WHEREAS the housing policy of the Ontario government introduced in 1989 has been established without Municipal support; and

WHEREAS a number of local Municipalities as well as the Association of Municipalities of Ontario "AMO" have expressed some real concerns as to the policy's workability and implementation; and

WHEREAS the new Ontario NDP government has shown a willingness to consult with municipal government in a spirit of co-operation.

BE IT THEREFORE RESOLVED THAT the Ontario government through Ministry of Housing and Ministry of Municipal Affairs undertake the following:

- 1) rescind the present housing policy;
- 2) begin an immediate review in order to establish a new policy in co-operation and consultation with local governments with the desire to obtaining mutually acceptable objectives that are clearly attainable and workable and indeed flexible to reflect local community needs and concerns;
- 3) and that such review has the direct involvement of elected municipal representatives.

BE IT FURTHER RESOLVED THAT this resolution be circulated to the Honourable Bob Rae, the Premier of Ontario, the Honourable Dave Cook, the Minister of Housing and Minister of Municipal Affairs, the Honourable Gregory Sorbara, M.P.P. for York Centre, all Municipalities in the G.T.A. and all the Municipalities in Ontario with a population in excess of 50,000.

ACTION DEPT. _____

INFO. DEPT. _____

FOR NEXT COUNCIL _____



RECEIVED

DEC - 1990

3.

CITY CLERKS

November 28, 1990

Mr. Keith Avery, Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

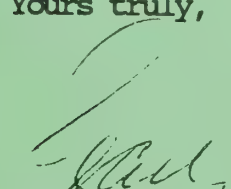
Dear Mr. Avery:

RE: PROPERTY TAXES

For your attention please find enclosed an extract of Town of Vaughan Council minutes for its regular meeting held on 20 November 1990 setting out a course of action Council is desirous of implementing to assist the Ontario Government in its goal of increasing its share of education funding. It would be appreciated if you could place this matter before your Council/Board for consideration.

Thank you for your co-operation.

Yours truly,


J.D. Leach
Town Clerk

JDL/km

ENCL.

40. MOTION - PROPERTY TAXES

Council resolved:

WHEREAS property taxes have increased sharply and steadily in recent years; and

WHEREAS such increases have been causing severe hardships for many people especially those on a fixed income or new families starting out; and

WHEREAS such high property taxes make it difficult if not impossible for many people to afford a home; and

WHEREAS the Ontario government's share of funding towards education in Ontario has decreased significantly in the past 10 years, namely from 60% to a present approximately 40%, thus forcing school boards to make up such loss by increasing property taxes beyond justifiable inflationary levels; and

WHEREAS education is clearly a provincial jurisdiction and responsibility; and

WHEREAS school taxes are usually the largest component in the typical property tax bill (68% in Vaughan); and

WHEREAS the leader of the NDP the Honourable Bob Rae promised during the recent election campaign to restore the government level of funding of education to 60% over time; and

WHEREAS it is recognized that such is not easily possible.

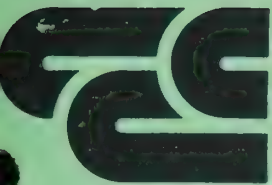
In order to assist the government in this task BE IT THEREFORE RESOLVED THAT the government of Ontario establish a commission which would include elected school board and Municipal representatives in addressing this critical issue and make recommendations to government as to the best and most effective way in achieving the government's goal of 60% funding or better and also make other recommendations on overall education financing.

BE IT FURTHER RESOLVED THAT this be circulated to the Honourable Bob Rae, the Premier of Ontario, the Honourable Floyd Laughren, the Deputy Premier, Treasurer and Minister of Economics, the Honourable Marion Boyd, the Minister of Education, the Honourable Gregory Sorbara, M.P.P York Centre, Municipalities and School Boards in the G.T.A., Municipalities and School Boards in Ontario with a population in excess of 50,000 and respective Associations' of School Boards.

ACTION DEPT. _____

INFO. DEPT. _____

FOR NEXT COUNCIL _____



The Corporation
of the City
of Cambridge

RECEIVED

NOV 23 1990

CITY CLERKS

4.

November 23, 1990
Our File: AC-10-2

City Clerk
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir or Madam:

Re: Resolution - Public Libraries - User Rate

Please be advised that Cambridge City Council, at its meeting of November 12, 1990, passed the following resolution:

WHEREAS most of the cost of public libraries are raised through local taxpayers;

WHEREAS the user rate has been regulated by the provincial government and is far too low;

WHEREAS there is some duplication between the public library and school board libraries;

THEREFORE LET IT BE RESOLVED THAT we petition the provincial government to pass legislation to allow higher user rates and these rates be at the discretion of public libraries; and

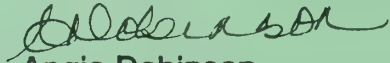
BE IT FURTHER RESOLVED THAT we ask for a study of public libraries and school libraries by the province to look at duplication and place the service where it should be, not in both systems; and

BE IT FURTHER RESOLVED THAT we request all municipalities of 50,000 or over to support this resolution; and

BE IT FURTHER RESOLVED THAT we request the Association of Municipalities of Ontario Board of Directors to ask the provincial government to take the necessary action to solve this matter.

Thank you for your attention to this matter, and a reply at your earliest convenience would be appreciated.

Yours truly,



Angie Dobinson
Council/Committee Co-ordinator

AD/jnm

cc: Ministry of Culture and Communication
50,000 population +
Association of Municipalities of Ontario

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SEVENTEENTH** Report for 1990 and respectfully recommends:

1. That a by-law to prohibit CP Rail from train whistling at Greenhill Avenue Grade Crossing be enacted by Council.
2. That a purchase order be issued to Form & Build Supply Inc., Kitchener, in the amount of \$10,805.35, being the only supplier available, to supply and deliver concrete forming accessories for the Public Works Department, in accordance with Vendor's quotation, and that this expenditure be financed from General Roadway Maintenance Account No. CH60168 56103.
3.
 - (a) That an Offer to Purchase Easement Agreement executed by officials of Hamilton Hydro Electric System on November 12, 1990 and scheduled for closing on or before February 18, 1991, for the purchase of an easement for the lands on the west side of Upper Kenilworth Avenue south of Limeridge Road to maintain an existing underground manhole duct and cable system, be approved and completed.
 - (b) The purchase price of \$501.00 is to be credited to the following accounts:

\$1.00 to Account No. CH4X501 00102 (Sale of Land Property Purchases) and \$500.00 to Account No. CH59050 30001 (Outside Recoveries). A deposit cheque in the amount of \$50.00 is being held by the City Treasurer pending approval of this transaction.

NOTE: The subject property fronts along the westerly limit of Upper Kenilworth Avenue and is shown as Part 1 and Parts 13 to 30 inclusive, together with a right-of-way over Part 31.

12/11/90

4. That an application be submitted to Canada Trust's "Friends of the Environment Foundation", requesting \$10,000.00 to fund additional tree planting of bare root trees on the road allowances.
5. That the Director of the Property Department be authorized to enter into negotiations with the Salvation Army for the purchase of the lands required to establish the future extension of Eaglewood Drive, east of Eleanor Avenue.
6.
 - (a) That the Director of the Property Department be authorized and directed to negotiate the purchase of a 20.1 m by 146.2 m portion of the lands at 874 West Fifth Street.
 - (b) That funding for the purchase of land at 874 West Fifth Street be provided through Capital Project No. 022.1 - City's Share of Services through Unsubdivided lands.
7.
 - (a) That additional funding for the City's share of municipal services in the following subdivisions, be approved:

<u>Subdivision</u>	<u>Additional Funding</u>
Highridge Estates - Stage 2 (62M-488)	\$ 200.00
Highridge Hills - Stage 2 (62M-603)	\$ 2,200.00

- (b) That the additional City' share of the cost of services for these developments (\$2,400.00) be approved, and that the Finance and Administration Committee recommend the source of funding for these projects.

8.
 - (a) That the request of Ms. M. Chapman, agent, on behalf of the owner of 211 Mary Street, to discharge the encroachment for this address, Instrument No. 316507 C.D. registered on June 20, 1985, be approved subject to the payment of the discharge fee.
 - (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.
 - (c) That the application of Ms. M. Chapman, agent for the owner of 211 Mary Street to retain the inadvertent encroachment consisting of
 - (i) A veranda and front steps encroaching onto the road allowance of Mary Street measuring 1.28 m x 4.26 m.
 - (ii) A portion of a 3 storey building encroaching onto the road allowance of Mary Street measuring 0.88 m x 16.35 m.

approved provided:

- i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That the first year fees of \$125.00 and subsequent annual fees of \$20.00 be set for this privilege.
- iii. That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

12/11/90

9.
 - (a) That the existing "No Parking" regulation on the west side of Moxley Drive between Mohawk Road and Rideau Crescent be removed.
 - (b) That stopping be prohibited on the west side of Moxley Drive between Mohawk Road and a point 113 feet southerly therefrom.
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
 - (d) That the owners of the townhouse complex at 914 Mohawk Road East be requested to revise the internal parking layout such that additional off-street parking can be provided on the private property.
10. That, in accordance with Section 70 of the Police Act, the following persons be appointed as Parking Control Officers:

Ms. Pamela M. Beam

Mr. Lorne J. Leblanc

Ms. Susan M. Vickers

Mr. Frederick W. Smith

Mr. John T. Tyne
11.
 - (a) That the existing Residential Boulevard Parking Agreement registered as Instrument No. 456264 C.D. to the property at 98 Tuxedo Avenue South be discharged, at the property owner's expense.
 - (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.

12/11/90

12. (a) That an "Alternate Side Parking" regulation be implemented on Carling Street between Paradise Road and Macklin Street such that parking is prohibited on the north side of the street during the months of December, January, February and March and from the 1st to the 15th of April, May, June, July, August, September, October and November; and on the south side of the street from the 16th to the last day of the months of April, May, June, July, August, September, October and November.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. That the existing supervised school crosswalk on Albright Road approximately 150 feet east of Nicklaus Drive be relocated to the east leg of the intersection of Albright Road and Nicklaus Drive.
14. That leave be granted to introduce the following Bills:
- | | |
|-------------------|-----------------------------------------------------------------------------------------------------------|
| Bill A-146 | A By-law to Prohibit Canadian Pacific Limited from Train Whistling at Mileage 51.90 Fort Erie Subdivision |
| Bill A-147 | A By-law to Amend By-law No. 89-72 to Regulate Traffic |
| Bill A-148 | A By-law to Amend By-law No. 89-72 to Regulate Traffic |

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Tina Agnello, Secretary

December 3, 1990

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-SECOND** Report for 1990 and respectfully recommends:

1. That the City Clerk be authorized to publish a Notice of Application for approval of the establishment of a columbarium in the basement of Christ's Church Cathedral, 252 James Street North.
2.
 - (a) That the Recreational Facility Needs Study, "Vision 2000" - Final Report dated November 1990 as prepared by the Culture and Recreation Department be received.
 - (b) That the Director of Culture and Recreation be directed to inaugurate the long range plans for subsequent recommendations and appropriate future action, subject to the consideration of the priorities of other City Capital Projects.

NOTE: The Recreational Needs Study forms the basis of a plan to systematically address Recreational Facility Needs to the Year 2000 which includes the development of a Policies and Priorities Manual and a Facilities Monitoring Program.

3. That a purchase order be issued to Colonial Fence, Hamilton, in the amount of \$17 449.50 to supply and install a chain link fence at Mohawk Sports Park, Upper Kenilworth and Mohawk Road, being the lowest acceptable of four (4) tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed from Mohawk Sports Park, Various Improvements Account No. CH56398 62910 (703-5808).

12/11/90

4. That the purchase order to Malcolm Isbister & Co. Ltd., Dundas, for restoration work to the Hamilton Museum of Steam and Technology, in the amount of \$90 335 and approved by Council 1989 May 09, be amended by adding the following change orders in the amount of \$27 000:
- (a) Change Order 1
 - i. additional work to chimney plinth and north wall of engine house \$19 500
 - (b) Change Order 2
 - i. additional work to south wall of engine house \$15 500
 - (c) Change Order 3
 - i. repairs to downspouts on south wall and additional work on south wall of boiler house \$ 3 000
 - (d) Deletion
 - i. all work on west wall of boiler house and steps \$11 000
- and that this expenditure be financed from the Restoration of Steam Museum Account No. CF 718941001 5200.
5. (a) That the Tariff of Charges for City-owned cemeteries as set out in Schedule "A" attached, be approved upon receipt of approval from the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, and implemented on 1991 January 02.
- (b) That the City Solicitor be authorized and directed to prepare a By-law to amend Cemetery By-law 8861 so as to provide for the increase in the Tariff of Charges.
- (c) That the Manager of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, for approval of these rates.

6.
 - (a) That the Director of Public Works be authorized and directed to make application to the Niagara Escarpment Commission for approval to construct a new workshop and yard facility for the Chedoke Golf Course on the site of the existing chipping green immediately west of the existing Chedoke Maintenance Depot.
 - (b) That the existing Capital Budget Project "Chedoke Golf Course Storage and Workshops" in the amount of \$161 000 (Centre 628641001) be used for this project.
 - (c) That a new chipping green be constructed on a site immediately south of the proposed workshop yard within proximity of the existing chipping green.
 - (d) That the existing workshop located in the north-east corner of the Golf Course near Chedoke Avenue be demolished upon completion of the new proposed building and the cleared area be incorporated into the Golf Course and Chedoke Parkette as determined by site conditions.

7. That \$52 670 be transferred from the following Public Works - Parks Division (Sports Facilities) Accounts:

CH 51401 62116	Stadia Clean-up	-	\$ 2 000
CH 51401 62118	Stadia Maintenance	-	\$ 2 000
CH 51401 62120	Stadia Operations	-	\$ 2 670
CH 50010 62502	Special Repair Projects	-	<u>\$46 000</u>

\$52 670

to CH 51001 62001 - Parks Division, Administration Salaries to provide for the salary for the Superintendent of Facilities in the Parks Division - Administration Accounts.

8. For the Information of Council, the Parks and Recreation Committee appointed Alderman D. Wilson to the Arts Advisory Sub-Committee to fill the vacancy created by the resignation of Alderman D. Christopherson.

12/11/90

9. That leave be granted to introduce the following Bill:

B-106 By-law to Amend Cemeteries By-law 8861 respecting Revised
Tariff of Charges.

RESPECTFULLY SUBMITTED,

Lynn Dale,
Secretary

**ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

1990 December 04

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGE

January 2, 1991

(Cemeteries By-Law No. 8861)

	Resident and Non-Resident <u>Realty Taxpayers</u>	<u>Non-Residents</u>
<u>OPENING AND CLOSING</u>		
6 ft. Adult	386.00	449.00
8 ft. Adult	523.00	583.00
6 ft. Child - case up to 42"	230.00	342.00
- case 43" to 60"	263.00	376.00
- case 61" to 72"	292.00	425.00
8 ft. Child - case up to 60"	292.00	425.00
- case 61" to 72"	325.00	472.00
Baby Special - Up to one month old	44.00	71.00
Cremation	128.00	183.00
Mansion of Memories (Stoney Creek - New Crypts only)	317.00	373.00
<u>LOWERING</u> (Opening Charges not included)		
Adult - From 6 ft. to 8 ft. - Shell	264.00	400.00
- From 6 ft. to 8 ft. - Steel Vault	515.00	770.00
- From 6 ft. to 8 ft. - Concrete Vault .	614.00	923.00
Child - From 6 ft. to 8 ft. - 5 to 10 years ..	183.00	272.00
- From 6 ft. to 8 ft. - under 5 years ..	88.00	129.00
<u>REMOVALS</u>		
Adult- Shell	1,391.00	2,140.00
- Concrete Vault or Crypt	1,135.00	1,698.00
Child - Shell	330.00	514.00
- Concrete Vault or Crypt	353.00	523.00
Cremation	128.00	183.00

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

JANUARY 2, 1991

	Resident and Non-Resident Realty Taxpayers	Non-Residents
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SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE

Adult Single Grave (3½' x 10') (4' x 9') (4' x 10')

Graves cannot be selected or purchased in advance but are opened in sequence	371.00	458.00
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Preferred Single Grave (3½' x 10') (4' x 10')

Where grave may be selected and purchased in advance of need	621.00	767.00
-----------------------------------------------------------------------	--------	--------

Child Single Grave

Case up to 60" (2' x 5')	89.00	116.00
Case 61" to 72" (3' x 6')	132.00	172.00

<u>Urn Garden</u> (1-3/4' x 5')	207.00	251.00
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<u>Veteran's Grave</u> (3½' x 10')	352.00	
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<u>Social Services Grave</u> (3½' x 10') (4' x 9') (4' x 10') ...	371.00	
-------------------------------------------------------------------	--------	--

<u>Two-Grave Lot</u> (7' x 10') (6' x 12') (8' x 10')	1,423.00	1,774.00
-------------------------------------------------------------	----------	----------

<u>Two-Grave Lot</u> - Eastlawn Section 15, 16 (6' x 12')		
(6' burials only)	1,162.00	1,450.00

<u>Three-Grave Lot</u> - Woodland Section 17 (10½' x 10')	2,125.00	2,659.00
-----------------------------------------------------------------	----------	----------

<u>Four-Grave Lot</u> - Woodland Section 15 (12' x 12')	5,147.00	6,429.00
---------------------------------------------------------------	----------	----------

<u>Four-Grave Lot</u> - Woodland Sections 21, 22, 25 (10' x 14') (12' x 12')		
- Eastlawn Section 19 (12' x 12')	2,786.00	3,542.00

<u>Four-Grave Lot</u> - Trinity (8' x 16')	2,618.00	3,322.00
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<u>Mansion of Memories</u> - Mausoleum Crypt	992.00	1,090.00
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<u>Baby Special</u>	39.00	41.00
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ADDITIONAL SERVICES

<u>CRYPTS</u>		
Child	230.00	
Youth	240.00	
Standard	250.00	
Intermediate	260.00	
Oversize	270.00	

<u>PLANTING</u>		
Preparing ground and planting flowers per grave	37.00	
Preparing ground and planting one shrub	48.00	
(Flowers and shrubs are to be provided by the family at their expense.)		

<u>MISC.</u>		
Tent in cemetery	118.00	
Rental of tent outside cemetery	161.00	
Rental of dressing for use outside cemetery	128.00	
Rental of lowering device outside cemetery	128.00	
Transfer Fee \$2.00 + Research \$22.00 ...	24.00	

NOTE: 35% of all lot and grave sales goes into Perpetual Care

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

JANUARY 2, 1991

	Resident and Non-Resident Realty Taxpayers	Non-Residents
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FOUNDATIONS AND MARKERS

<u>Foundation</u> - pouring per square inch of surface area (to be poured 6 feet deep)	.88	1.32
<u>Marker Setting Fee</u> (maximum size 24" long x 18" wide) (thickness 8" maximum - 4" minimum)	107.00	165.00
Social Service Marker	107.00	144.00
Bronze Vase	107.00	165.00
D.V.A. Upright	90.00	
D.V.A. Flat	90.00	

Preferred Singles

Only a flat marker 24" in length and 18" in width is permitted.

Singles Graves in a Row

A flat granite marker, maximum 24" in length and 18" in width is permitted.

Urn Garden Section

Only a flat marker 12" in length and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two-Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2" (38"), and maximum width must not exceed 1'2" (14"). All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4' (48"). All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

Three and Four-Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" on all sides from the edge of the die or cross.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTY-SECOND** Report for 1990 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:
 - (a) 186 Queen Street North
 - (b) 188 Queen Street North
 - (c) 45 Beechwood Avenue
 - (d) 270 Dundonald Avenue
 - (e) 1530 Upper James Street
 - (f) 105 Aberdeen Avenue.
2. That an increase under the Commercial Facade Loan Programme, in the amount of two thousand, seven hundred and fifty-four dollars (\$2,754.) be approved for 207-209 King Street East, Mr. U. Kim for a new loan amount of forty-five thousand dollars (\$45,000.). The interest rate will be 7-3/8 percent, amortized over 10 years.
3. That a Commercial Facade Loan, in the amount of fifteen thousand dollars (\$15,000.) be approved for 640 Concession Street, Dr. William Cowan. The interest rate will be 6-5/8 percent, amortized over 10 years.
4. That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to The Hamilton Museum of Steam & Technology, 900 Woodward Avenue, Hamilton.
5. That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to the Church of the Ascension, 64 Forest Avenue, Hamilton.

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6. That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to Whitehern, 41 Jackson Street West, Hamilton.
7. That a repayable loan under the Community Heritage Trust Fund in the amount of one thousand, one hundred and twenty-five dollars (\$1,125.) be approved for Jane & Paul Rigby, 260 MacNab Street North, Hamilton. The interest rate will be six percent, amortized over 10 years; and,

That a Designated Property Grant in the amount of one thousand, one hundred and twenty-five dollars (\$1,125.) be provided to Jane & Paul Rigby, 260 MacNab Street North, Hamilton.

8. That the City Solicitor be authorized and directed to amend By-law No. 90-232 respecting the regulation of gun shops, to make certain housekeeping changes giving effect to City Council's original intent.
9. (a) That the City of Hamilton accept the sum of \$98,475. as cash payment in lieu of the 5% parkland dedication, in connection with Effort Gardens, Hamilton.
(b) That the City of Hamilton accept the sum of \$16,815. as cash payment in lieu of the 5% parkland dedication, in connection with Effort Gardens Extension, Hamilton.

NOTE: The above figures represent the cash requirement under Section 50 of the Planning Act.

These lands are located north of Stone Church Road and east of Upper James Street, in the Jerome Neighbourhood, Hamilton.

10. By Ground Lease dated 1983 May 3, The Corporation of the City of Hamilton leased the Sheraton Hotel site to Lakeview Development Ltd. With Council's approval as landlord, Lakeview Development Ltd. assigned this Lease in 1989 April, to a new Lessee, namely GGS Hotel Holdings Canada Inc. On 1990 July 31, the City, as Landlord approved a Ground Lease mortgage being made by GGS Hotel Holdings Canada Inc. (as borrower) - in favour of Century Leasing System, Inc. (Mortgage lender) in the amount of \$23,950,000. at 20% per annum.

It is recommended that:

- (a) GGS Hotel Holdings Canada Inc.'s request to the City as Landlord for approval to change the Mortgage lender from Century Leasing System, Inc. to Chigin-Seiho Housing Loan Co., Ltd. be approved.

This approval is subject to the condition that the City receives from GGS Hotel Holdings Canada, Inc. and Chigin-Seiho Housing Loan Co., Ltd., an Agreement (titled Section 16.01 Agreement) under which this new lender covenants to comply with the Ground Lease if it ever takes over the Hotel. The Mayor and City Clerk are hereby authorized to execute this Agreement. This Agreement shall be registered on title to the Hotel by GGS Hotel Holdings Canada Inc. as required by the Ground Lease and the Hotel Interface Agreement dated 1984 July 30 (sec. 13(g)).

- (b) A Mortgage Amending Agreement be approved by the City as Landlord between GGS Hotel Holdings Canada Inc. and Chigin-Seiho Housing Loan Co., Ltd. (titled Mortgage Amending Agreement) to clarify the repayment terms of the mortgage and the method of calculating interest under the Mortgage. The other terms, namely the size of the loan, \$23,950,000. and the interest rate (20%) to remain the same;
- (c) An Estoppel Certificate be issued by the City as Landlord to the new Mortgagee Chigin-Seiho Housing Loan Co., Ltd. under which the City confirms to the lender that the Ground Lease is in good standing (This Certificate confirms among other matters, that there are no rent, realty or business taxes outstanding);
- (d) That a Certificate be issued by the City in which the City confirms to the new lender that GGS Hotel Holdings Canada Inc. is in compliance with its obligations to the City in the Interface Agreement, the Pedestrian Bridge Agreement, the Truck Tunnel Agreement and the Canopy Encroachment Agreement.

NOTE: The documents being approved, namely the 16.01 Agreement, the Mortgage Amending Agreement, the Estoppel Certificate and the Certificate are attached herewith and marked as Appendix "A".

Under the Ground Lease (sec. 16.01) dated 1983 May 3, assumed by GGS Hotel Holdings Canada Inc. in 1989, GGS Hotel Holdings Canada Inc.'s mortgagee and a change in the Mortgagee is subject to this approval of the City as Landlord. This change of lenders does not affect the City's rights as Landlord nor does the mortgage between GGS Hotel Holdings Canada Inc. and its lender oblige the City at any time to advance or to repay any loan.

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11. That the application fees for Official Plan Amendments, Rezoning Applications, Official Plan Amendment and Rezoning Applications, Site Plan Control Applications and amended Site Plan Control Applications be increased annually at the rate of inflation.

NOTE: The current fees for the above-noted services are as follows:

(a) Official Plan Amendment	\$ 750.00
(b) Rezoning Application	\$ 750.00
(c) Official Plan Amendment and Rezoning	\$1,500.00
(d) Site Plan Control	\$ 350.00
(e) Amended Site Plan	\$ 150.00

12. (a) That approval be given to amend a previously draft approved plan of subdivision which was recommended for approval by City Council on 1986 March 25, for "Eleanor Estates", owned by N. Elia, Hamilton, Ontario, under Regional File No. 25T-85035, by deleting all previous conditions and replacing same with the following conditions:

- (i) That this approval apply to the plan prepared by A. J. Clarke, dated 1990 November 1, showing 17 lots, one Block (Block "18") for road widening and one block (Block "19") as part of a road.
- (ii) That the road allowance and the widening for Stone Church Road East be dedicated as a public highway on the final plan.
- (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (iv) That the proposed subdivision conform with the Zoning By-law approved under The Planning Act.
- (v) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
- (viii) That sufficient lands be dedicated to the Region to establish the property line 15.24m (50 ft.) from the centreline of the original Stone Church Road road allowance, and that the road widening be dedicated on the final plan.

- (ix) That the future Eaglewood Drive align with the future Eaglewood Drive, to be established to the east of this proposed development as indicated on the approved Eleanor Neighbourhood Plan.
- (x) That sufficient lands be dedicated to establish Eaglewood Drive road allowance to its full width of 20.0m west of Eleanor.
- (xi) That sufficient lands be dedicated to the City at this time to create a 15m radius cul-de-sac approximately 32m south of Stone Church Road.
- (xii) That the owner agrees, in writing, to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- (xiii) That the owner satisfy the requirements of the Ministry of the Environment in regard to possible excessive noise.
- (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (25T-85035), Nick Elia, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

NOTE: The lands, comprised of .929 ha., are located on the south side of Stone Church Road East and on the west side of Eleanor Avenue in the Eleanor Neighbourhood, being part of Lot 8, Concession 8, formerly in the Township of Barton, now in the City of Hamilton.

13. (a) That approval be given to proceed with the required publication of a proposed by-law to rename Ridge Street to Jeremy Street.
- (b) That approval be given to hold a public meeting to consider the passing of a by-law to change the name of Ridge Street to Jeremy Street.

NOTE: Ridge Street was established by Registered Plan No. 1055 in the Jerome Neighbourhood and is also existing in the Greeningdon Neighbourhood north of Limeridge Road East. To avoid duplication of a road name, that section of Ridge Street located in the Jerome Neighbourhood should be renamed.

Ridge Street in the Jerome Neighbourhood is located north and south of Chipman Avenue east of James Street.

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14. That the Terms of Reference of the Central Area Plan Implementation Committee, attached herewith and marked as Appendix "B", be approved.
15. That approval be given to the following Neighbourhood Plan amendments:
 - (a) That the approved Vincent Neighbourhood Plan be amended by redesignating the lands at 245 Quigley Road, as shown as Block "1" on Schedule "A", attached herewith and marked as Appendix "C", from "Low Density Apartments" to "Attached Housing";
 - (b) That the approved Broughton East Neighbourhood Plan be amended by redesignating the lands on both sides of Derby Street, as shown as Block "1" and Block "2" on Schedule "B", attached herewith and marked as Appendix "D", from "Medium Density Apartments" to "Attached Housing";
 - (c) That the approved Ainslie Wood West Neighbourhood Plan be amended by redesignating the lands at 1967 Main Street West, as shown as Block "1" on Schedule "C", attached herewith and marked as Appendix "E", from "Low Density Apartments" to "Attached Housing";
 - (d) That the approved Templemead Neighbourhood Plan be amended as follows:
 - (i) By redesignating the lands at 1073, 1081, and 1085 Rymal Road East, as shown as Block "1" on Schedule "D", attached herewith and marked as Appendix "F", from "Medium Density Apartments" to "Attached Housing";
 - (ii) By redesignating the lands at 1067 Rymal Road East, as shown as Block "2" on Schedule "D", attached herewith and marked as Appendix "F", from "Medium Density Apartments" to "Attached Housing";
 - (iii) By redesignating the lands at 1097 Rymal Road East, as shown as Block "3" on Schedule "D", attached herewith and marked as Appendix "F", from "Medium Density Apartments" to "Single and Double" Residential;
 - (e) That the approved Kirkendall South Neighbourhood Plan be amended by redesignating the lands at the south-east corner of Aberdeen Avenue and Spruceside Avenue, as shown as Block "1" on Schedule "E", attached herewith and marked as Appendix "G", from "Single and Double" residential to "Park and Recreational";
 - (f) That the approved Kentley Neighbourhood Plan be amended by adding a cul-de-sac to Pottruff Road North to the north of 362 Pottruff Road North, as shown on Schedule "F", attached herewith and marked as Appendix "H";

- (g) That the approved Rolston Neighbourhood Plan be amended by adding the note pertaining to no access to West Fifth Street when the Red Hill Creek Expressway overpass is constructed, as shown on Schedule "G", attached herewith and marked as Appendix "I", for the lands on the west side of West Fifth Street, north of the Red Hill Creek Expressway; and,
- (h) That the approved Yeoville Neighbourhood Plan be amended by adding the note pertaining to no access to West Fifth Street when the Red Hill Creek Expressway overpass is constructed, as shown on Schedule "H", attached herewith and marked as Appendix "J", for the lands on the east side of West Fifth Street, north of the Red Hill Creek Expressway.

NOTE: The purpose for the amendments to the Neighbourhood Plans is to recognize current land use which will remain for the indeterminate future and to redesignate properties which are no longer suitable for its designated use.

These amendments have been identified through administration of Neighbourhood Plans, and are part of the housekeeping process.

- 16. That Zoning Application 90-72, Future Homes Construction (Felice Bozzo), owner, requesting an Official Plan Amendment to redesignate the subject lands from "Residential" to "Commercial" and to include the lands in Special Policy Area 31, and a rezoning from "B" (Suburban Agriculture and Residential, etc.) District to "G-3" (Public Parking Lots) District, to permit a parking lot in conjunction with adjoining commercial lands at 21 Rymal Road West, for property located at 22 Kennedy Avenue, as shown on the attached map marked as Appendix "K", be **DENIED** for the following reasons:
 - (a) It conflicts with the intent of the Official Plan and the approved Kennedy East Neighbourhood Plan which designate the lands as "Residential" and "Single and Double Residential", respectively;
 - (b) The proposal would be incompatible with adjoining residential properties to the west and south and would be an intrusion of a commercial use into a residential neighbourhood. In this regard, approval of the application would encourage other similar applications which, if approved, would undermine the residential character of the area and the intent of the approved Kennedy East Neighbourhood Plan; and,
 - (c) Development of the lands should more appropriately be in conjunction with the adjoining commercially designated land on Rymal Road West.

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17. (a) That approval be given to Zoning Application 90-78, Gwynette and Frederick Seymour, owners, requesting a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit a fifteen bed residential care facility for senior citizens to be operated jointly with the adjoining twenty bed residential care facility at 60 West Avenue South, for property located at 70 West Avenue South, as shown on the attached map marked as Appendix "L", on the following basis:
- (i) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
 - (1.) That notwithstanding Section 11.(7) of By-law No. 6593, a residential care facility for the accommodation of not more than 15 elderly residents of at least 60 years of age shall be permitted;
 - (2.) That notwithstanding Section 18A.(1) of By-law No. 6593, not less than four parking spaces shall be provided and maintained on the land on which the residential care facility is situated;
 - (3.) That notwithstanding Section 18A.(9) of By-law No. 6593, the manoeuvring area for the required four parking spaces may be located off-site;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1212, and the subject lands on Zoning District Map E-14 be notated S-1212;
 - (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14 for presentation to City Council; and,
 - (iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-law not be forwarded for passage by City Council until such time as the applicants have applied for and received approval of site plans regarding parking for 60 and 70 West Avenue South.

NOTE: The purpose of the By-law is to provide for a modification to the established "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at 70 West Avenue South.

The effect of the By-law is to permit the use of the subject lands as a residential care facility for not more than fifteen elderly residents of at least 60 years of age. In addition, the By-law provides the following variances as special requirements:

- (a) Four parking spaces whereas five are required; and,
- (b) The manoeuvring for the required parking may be provided off-site whereas it is required to be on-site.

18. That Zoning Application 90-48, Glenville Lionel Brewster and Dorothy Merlene Brewster, owners, requesting a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District regulations to legalize the established four-family dwelling located at 218 - 220 Maplewood Avenue, as shown on the attached map marked as Appendix "M", be **DENIED** for the following reasons:

- (a) It conflicts with the intent of the Official Plan, in that it would allow for an indiscriminate mix of housing types by introducing a four-family dwelling into an area which is predominately occupied by single-family and two-family dwellings.
- (b) Approval of the application would encourage other similar applications, which if approved, would undermine the intent of the Zoning By-law and change the character of the area.

19. That leave be granted to introduce the following Bills:

- (a) C-170 A By-law to amend By-law No. 84-35 to provide for maintaining land in a clean and clear condition.
- (b) C-171 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 186 and 188 Queen Street North.
- (c) C-172 A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Upper Wentworth Street, north of Stone Church Road East.
- (d) C-173 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 236 Stone Church Road West.

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- (e) C-174 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 158 Mary Street.
- (f) C-175 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1650 Upper Ottawa Street.
- (g) C-176 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1209-1223 Upper James Street.
- (h) C-177 A By-law to adopt Official Plan Amendment No. 96 respecting lands located on the west side of Rice Avenue, south of Chedmac Drive within the Mountview Neighbourhood.
- (i) C-178 A By-law to amend Zoning By-law No. 6593 respecting lands located on the south side of Rymal Road East between Glover Road and Trinity Church Road.
- (j) C-179 A By-law to amend Zoning By-law No. 90-232 respecting Regulation of Gun Shops.

Respectfully submitted,

**ALDERMAN F. LOMBARD, CHAIRMAN
PLANNING AND DEVELOPMENT COMMITTEE**

**Susan K. Reeder
Secretary
1990 December 5**

ESTOPPEL CERTIFICATE

TO: CHIGIN-SEIHO HOUSING LOAN CO., LTD.

AND TO: FASKEN CAMPBELL GODFREY
37th Floor
P.O. Box 20
Toronto-Dominion Bank Tower
Toronto-Dominion Centre
37th Floor
Toronto, Ontario
M5K 1N6

RE: Ground Lease dated the 3rd day of May, 1983, registered January 31, 1984 as Instrument No. 271066 C.D., as amended by certain agreements including, agreements dated May 3, 1983, July 29, 1983, November 26, 1986, December 1, 1986 and April 14, 1989, registered as Instruments No. 292838CD, 292840CD, 250290LT, 250289LT, 250288LT, respectively, all between The Corporation of the City of Hamilton (the "City") and Lakeview Development Ltd. ("Lakeview"), as further amended by Agreement dated May 12, 1986 and registered as Instrument No. 250287LT between the City, Lakeview and Citibank Canada, by Agreement dated March 31, 1989 and registered as Instrument No. 250287LT between the City, Lakeview, First Phase Civic Square Limited and King Street Hamilton Hotel Limited Partnership and by Agreement dated April 15, 1989 and registered as Instrument No. 250509LT between the City, Lakeview, GGS Hotel Holdings Canada Inc., and King Street Hamilton Hotel Limited Partnership

(the "Ground Lease")

The City hereby certifies as of this date pursuant to Section 22.07 of the Ground Lease, as follows:

1. That GGS Hotel Holdings Canada Inc. ("GGS") is in possession of the land described in the Ground Lease and took possession thereof on the 19th day of April, 1989, and has paid rent in accordance with the provisions of the Ground Lease to December 1, 1990 and that the City does not hold any prepaid rent, letter of credit or deposit or any amount whatsoever, with respect thereto.
2. That the Ground Lease has not been amended except as set out above and that the Ground Lease continues in full force and effect.
3. That the Ground Lease is in full force and effect and GGS is not, as of the date hereof, to the knowledge of the City, in default under the Ground Lease, save as is set out herein.
4. That the City hereby acknowledges and accepts that this Certificate shall be relied upon by Chigin-Seiho Housing Loan Co., Ltd.

Appendix "A" as referred to in Section 10 of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee.

5. That there are obligations of GGS outstanding under the Ground Lease as follows:

- a) The Truck Tunnel Agreement between the City and GGS dated April 15, 1989 and the Pedestrian Bridge Agreement between the City and GGS dated April 15, 1989 are to be registered in the Land Registry Office for the Land Titles Division of Wentworth (the "Registry Office") upon approval of the plan of survey required for registration of the Pedestrian Bridge Agreement.
- b) The City has (pursuant to an Agreement dated April 15, 1989 and registered in the Registry Office as Instrument No. 250509 LT) approved Lakeview as the Hotel Manager and has received as required by the Ground Lease a copy of the Hotel Management Agreement between Lakeview and GGS.

As GGS now wishes to manage the Hotel directly, it is required to apply for the City's approval to replace Lakeview, and if this is approved, may be required to enter into an Amending Agreement with the City to adjust references in the Ground Lease to Lakeview, to the Hotelier and to the Hotel Management Agreement to reflect the proposed change.

DATED this day of , 1990.

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

City Clerk

SLA-ESTOPPEL:VWRE

CERTIFICATE

TO: CHIGIN-SEIHO HOUSING LOAN CO., LTD.

AND TO: FASKEN CAMPBELL GODFREY
37th Floor
P.O. Box 20
Toronto-Dominion Bank Tower
Toronto-Dominion Centre
Toronto, Ontario
M5K 1N6

- RE: (i) An agreement (the "Interface Agreement") between The Corporation of the City of Hamilton (the "City"), Lakeview Development Ltd. ("Lakeview"), Second Phase Civic Square Limited ("Second Phase") and Fourth Phase Civic Square Limited ("Fourth Phase") dated July 30, 1984 and registered in the Land Registry Office for the Land Titles Division of Wentworth, at Hamilton (the "Registry Office") as Instrument No. 161659 LT, as further amended by the Lease Amending Agreement between the City, Lakeview, First Phase Civic Square Limited, Second Phase, Fourth Phase, GGS Hotel Holdings Canada Inc. ("GGS") and King Street Hamilton Hotel Limited Partnership dated March 31, 1989 and registered on April 19, 1989 in the Registry Office as Instrument No. 250510 LT;
- (ii) A pedestrian bridge agreement (the "Pedestrian Bridge Agreement") between the City and GGS dated April 15, 1989;
- (iii) A truck tunnel agreement (the "Truck Tunnel Agreement") between the City and GGS dated April 15, 1989; and
- (iv) A roof canopy agreement (the "Encroachment Agreement") between The Regional Municipality of Hamilton-Wentworth, Lakeview, 127089 Canada Ltd. and the City dated June 10, 1985 and registered in the Registry Office as Instrument No. 189019 L.T.
- (v) A development agreement (the "Hotel Development Agreement") between Lakeview and the City dated as of November 1, 1981, registered in the Registry Office as Instrument No. 292836CD, as amended by agreements registered as Instruments No. 292837CD, 292838CD, 292839CD, 292840CD, 250288LT, 250289LT and 250590LT.
- (vi) All of the agreements, as amended, referred to in subparagraphs (i)-(iv) shall be collectively referred to as the "City Agreements".

The Corporation of the City of Hamilton hereby acknowledges, confirms and represents as of this date that:

1. none of the City Agreements has been further amended and that such agreements are in full force and effect and are hereby confirmed;
2. to the knowledge of The Corporation of the City of Hamilton, GGS Hotel Holdings Canada Inc. is not in default under any of the City Agreements;
3. the Truck Tunnel Agreement and the Pedestrian Bridge Agreement are to be registered in the Registry

Office upon approval of the plan of survey required for registration of the Pedestrian Bridge Agreement.

4. there are no continuing or new obligations, covenants or agreements under the Hotel Development Agreement except for the obligations contained in the ground lease (the "Ground Lease") dated May 3, 1983 between the City and Lakeview as amended from time to time. The Certificate of Final Completion dated April 19, 1989 from the Review Authority, issued pursuant to Section 4.04(b) of the Hotel Development Agreement discharges the Developer from each and every obligation, covenant, agreement and undertaking contained in the Hotel Development Agreement except for the obligations contained in the Ground Lease.
5. this Certificate shall be relied upon by Chigin-Seiho Housing Loan Co., Ltd.

DATED this day of , 1990

THE CORPORATION OF THE CITY OF HAMILTON

Mayor

City Clerk

SECTION 16.01 AGREEMENT

THIS INDENTURE made as of the day of November, 1990.

B E T W E E N:

OGS HOTEL HOLDINGS CANADA INC.

(hereinafter called the "Mortgagor" and the
"Lessee")

OF THE FIRST PART

- and -

CHIGIN-SEIHO HOUSING LOAN CO., LTD.

(hereinafter called the "Mortgagee")

OF THE SECOND PART

- and -

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter called the "Lessor")

OF THE THIRD PART

WITNESSETH THAT:

WHEREAS by a ground lease (the "Original Ground Lease") dated as of the 3rd day of May, 1983, the Lessor leased to Lakeview Development Ltd. ("Lakeview") the land therein described, as set out in Schedule "A" attached hereto (the "Leasehold Land"), for and during a term of years to be computed from and inclusive of the 3rd day of May, 1983 to be fully completed and ended on the 31st day of October, 2069 at and under the yearly rental, covenants, conditions and agreements expressed and declared in the Original Ground Lease;

AND WHEREAS the Original Ground Lease was registered on title to the Leasehold Land as Instrument No. 271066 C.D. on January 31, 1984;

AND WHEREAS the Original Ground Lease has been amended, inter alia, by the following Agreements registered on title to the Leasehold Land (the Original Ground Lease, as

thereby amended, being herein referred to as the "Ground Lease"):

1. May 3, 1983 Closing Agreement registered as Instrument No. 292838 C.D.
2. May 3, 1983 Planning Act Agreement registered as Instrument No. 292839 C.D.
3. July 29, 1983 Amending Agreement registered as Instrument No. 292840 C.D.
4. Amendment to Development Agreement dated August 21, 1985 and registered as Instrument No. 221565 L.T.
5. The Citibank Agreement dated November 1, 1984 and registered as Schedule "B" to Instrument No. 250287 L.T.
6. Extension of Time and Setback Agreement dated April 14th, 1989 and registered as Instrument No. 250288 L.T.
7. The Banquet Facilities Amending Agreement dated December 1st, 1986, and registered as Instrument No. 250289 L.T.
8. Sub-basement and Storage Rent Adjustment Agreement dated November 26th, 1986 and registered as Instrument No. 250290 L.T.
9. Hotel Management Amending Agreement dated April 15th, 1989 and registered as Instrument No. 250509 L.T.
10. Lease Amending Agreement dated March 31st, 1989 and registered as Instrument No. 250510 L.T.;

AND WHEREAS Lakeview assigned the Ground Lease to the Lessee by an Assignment of Ground Lease registered on title to the Leasehold Land on April 19th, 1989 as Instrument No. 250511 L.T. and Lakeview transferred the Leasehold Land to the Lessee by Transfer/Deed of Land registered on title to the Leasehold Land on April 19th, 1989 as Instrument No. 250512 L.T.;

AND WHEREAS the Lessee entered into a Ground Lease Assumption Agreement registered on title to the Leasehold Land on April 19th, 1989 as Instrument No. 250513 L.T.;

AND WHEREAS the Lessor, Lakeview, Second Phase Civic Square Limited and Fourth Phase Civic Square Limited have entered into an Agreement (the "Interface Agreement") dated as of July 30, 1984 in respect of certain lands, including the Leasehold Land, which Agreement was registered on title to the Leasehold Land as Instrument No. 161659 L.T.;

AND WHEREAS the Lessor and the Mortgagor have entered into a pedestrian bridge agreement (the "Pedestrian Bridge Agreement") dated April 15, 1989, to connect the Improvements (as said term is defined in the Ground Lease, hereinafter, the "Improvements") on the Leasehold Land to the adjacent premises in Lloyd D. Jackson Square by means of a pedestrian bridge above King Street West for access to and from the Trade and Convention Centre and other facilities situated southerly on King Street West, which agreement will be registered on title to the Leasehold Land;

AND WHEREAS the Lessor and the Lessee have entered into a truck tunnel agreement (the "Truck Tunnel Agreement") dated April 15, 1989 in respect of a truck route to be used for deliveries to and from the hotel constructed on the Leasehold Land, which agreement will be registered on title to, inter alia, the Leasehold Land;

AND WHEREAS the Mortgagor granted a charge dated August 20, 1990 (the "Mortgage") on the security of the Leasehold Land and on all buildings, improvements and other structures erected on the Leasehold Land (hereinafter collectively called the "Leasehold Land and Premises") in favour of Century Leasing System, Inc. ("CLS") with the approval of the City pursuant to Section 16.01 of the Ground Lease, as security for payment to CLS of indebtedness of the Mortgagor to CLS in an

- 4 -

amount not to exceed the sum of Twenty-Three Million Nine Hundred and Fifty Thousand Dollars (\$23,950,000) of lawful money of Canada;

AND WHEREAS the Mortgage was registered on title to the Leasehold Land on August 20, 1990 as Instrument No. LT285786;

AND WHEREAS CLS has agreed to transfer the Mortgage to the Mortgagee;

AND WHEREAS the Mortgagor and the Mortgagee have agreed to enter into an agreement to amend the Mortgage (the "Mortgage Amending Agreement") a copy of which is attached hereto as Schedule "B";

AND WHEREAS by the terms of the Ground Lease it is provided that the Lessee thereunder may at any time and from time to time mortgage or encumber the Leasehold Land and Premises provided that certain conditions have been complied with as more particularly set forth in Section 16.01 of the Ground Lease.

AND WHEREAS CLS entered into an agreement (the "CLS Section 16.01 Agreement") with the Mortgagor and the Lessor reflecting the requirements of Section 16.01 of the Ground Lease, which agreement was registered on title to the Leasehold Lands on August 20, 1990 as Instrument No. LT285788;

NOW THEREFORE in consideration of the premises:

1. The Mortgagee acknowledges and agrees that the Mortgage as amended by the Mortgage Amending Agreement (hereinafter the "Amended Mortgage") will be made expressly subject to the rights of the Lessor under the Ground Lease and in particular to the right of the Lessor to acquire title to the Improvements as defined in the Ground Lease, upon expiration or termination of

the Ground Lease, in accordance with and subject to the provisions and conditions of the Ground Lease.

2. The Mortgagee covenants and agrees with the Lessor that, contemporaneously with the giving of notice by the Mortgagee to the Mortgagor of any breach or default under the Amended Mortgage, the Mortgagee will notify the Lessor in writing of such breach or default.
3. (a) The Mortgagee covenants and agrees with the Lessor that it shall be bound by all of the covenants and obligations of the Lessee contained in the following documents (the "Documents"):
 - (i) the Ground Lease;
 - (ii) the registered Interface Agreement and any agreement, lease, sub-lease or easement contemplated by the Interface Agreement entered into or to be entered into by the Mortgagor;
 - (iii) the Pedestrian Bridge Agreement, a copy of which the Mortgagee acknowledges having received;
 - (iv) the Truck Tunnel Agreement, a copy of which the Mortgagee acknowledges having received; and
 - (v) June 10, 1985 Encroachment Agreement registered as Instrument No. 189019 L.T.

The Mortgagee's obligation to be bound by the terms and conditions of the Documents shall arise in the event that the Mortgagee enters into possession of the Leasehold Land and Premises, or in the event that the Mortgagee takes any other steps to enforce its security, which steps have the effect of depriving the Lessee of the ability to fully perform the covenants and obligations under the Documents. Upon the sale or transfer of the Leasehold Land and Premises and the Ground Lease following the realization by the Mortgagee on the Amended

Mortgage, by the exercise of the power of sale of the Amended Mortgage or otherwise, it shall obtain from the assignee of the Leasehold Land and Premises and of the Ground Lease a covenant with the Lessor to perform all of the Lessee's obligations under the Documents. The Mortgagee shall be relieved and fully discharged from performance of the covenants, agreements and obligations contained in the Documents from and after the date that such assignee enters into possession of the Leasehold Land and Premises and enters into the covenant with the Lessor to be bound by the Documents.

(b) Without limiting the generality of Section 3(a), the Mortgagee covenants and agrees with the Lessor that notwithstanding that some of the Documents have not yet been finalized or registered on title, the Mortgagee agrees that:

- (i) the Amended Mortgage is and shall be (in the manner and to the extent provided for in Section 3(a) above) subject to and subordinate to, in all respects, the rights of the Lessor under the Documents;
- (ii) that those Documents not yet registered on title to the Leasehold Land shall be an encumbrance upon the Leasehold Land prior to the Amended Mortgage in the same manner and to the same effect as if they had been dated and registered prior to the Amended Mortgage; and
- (iii) that if the Amended Mortgage is registered prior to the registration of any of the Documents, the Mortgagee agrees and undertakes to provide the Lessor with a postponement of its security, including the Amended Mortgage, to the Documents and to do all other acts and things as may reasonably be required by the Lessor to ensure that the Documents are prior to the interest of the Mortgagee.

4. The Lessor covenants and agrees with the Mortgagees that the Mortgagees will be relieved and fully discharged of and from future performance of covenants, agreements and obligations contained in paragraph 3 hereof from and after the date on which any assignee of the Leasehold Land and Premises referred to in paragraph 3 hereof, covenants with the Lessor to perform all of the Lessee's obligations under the Ground Lease as provided in paragraph 3 hereof and enters into possession as aforesaid.
5. The Mortgagor and Mortgagee agree that Section 22.09 of the Ground Lease does not impose on the Lessor any obligation to:
 - (i) perform any of the obligations of the Mortgagor under the Amended Mortgage or the loan agreement between the Mortgagor and the Mortgagee;
 - (ii) perform any financial obligations of the Mortgagor under the Hotel Management Agreement referred to in Section 22.09 of the Ground Lease;
 - (iii) subordinate its right to receive rent and other sums payable to the Lessor under the Ground Lease, to amounts payable to the Mortgagee; and
 - (iv) pay any monies under the Hotel Management Agreement, referred to in Section 22.09 Of the Ground Lease, except as the Lessor and the Mortgagee may agree.
6. The Lessor acknowledges that by entering into this Agreement the Mortgagee has filed with the Lessor written notice specifying an address for any notices to be given by the Lessor to the Mortgagee in accordance with Section 15.03 of the Ground Lease. The Lessor further acknowledges that notwithstanding

- 8 -

that the Mortgagee is not a party to the Ground Lease, the provisions of Article XV of the Ground Lease shall be enforceable by the Mortgagee.

7. The Lessor acknowledges and approves the fact that the Mortgage was entered into for the purpose of securing a loan to finance the acquisition by the Mortgagor of the Improvements and of a leasehold interest in the Leasehold Land.
8. The Lessor agrees that upon registration on title to the Leasehold Land of this agreement and the assignment of the Mortgage by CLS to the Mortgagee, CLS will be relieved and fully discharged of and from all of the covenants, agreements and obligations contained in the CLS Section 16.01 Agreement and the Lessor agrees to provide a release and discharge of the CLS Section 16.01 Agreement at the Mortgagor's expense, if so requested.
9. (a) Any notice or communication required or permitted to be given to any party hereunder shall be in writing and shall be sufficiently given if personally delivered, transmitted by telecopier (the original of such notice to follow by regular mail) or mailed by registered mail, postage prepaid, addressed, transmitted or delivered to:
 - (1) In the case of the Mortgagor/Lessee, to it at:

OGS HOTEL HOLDINGS CANADA INC.
116 King Street West
Hamilton, Ontario
L8P 4V2

Telecopier No.: 416-529-2296
Attention: The Manager

with copy sent contemporaneously to:

McMillan Binch
Barristers and Solicitors
P. O. Box 38, South Tower
Royal Bank Plaza
Toronto, Ontario
M5J 2J7

Telecopier No.: 416-865-7048

(ii) In the case of the Mortgagee, to it at:

CHIGIN-SEIHO HOUSING LOAN CO., LTD.
2-6 Uchikanda, 2-Chome
Chiyoda-Ku, Tokyo 101
Japan

Telecopier No.: (813) 251-3587
Attention: Shoichi Honda
Assistant Manager
Finance Department

with a copy sent contemporaneously to:

Messrs. Fasken Campbell Godfrey
Barristers & Solicitors
37th Floor
P.O. Box 20
Toronto-Dominion Bank Tower
Toronto-Dominion Centre
Toronto, Ontario
M5K 1N6

Telecopier No.: (416) 364-7813
Attention:

(iii) In the case of the Lessor, to it at:

The City Clerk
The Corporation of the City of Hamilton
City Hall
P.O. Box 2040
71 Main Street West
Hamilton, Ontario
L8N 3T4

Telecopier No.: 1-416-546-2095

Any such notice given as aforesaid shall be conclusively deemed to have been given, if mailed, on the fifth business day following the date on which it is mailed and, if delivered or transmitted by telecopier, on the day of such delivery or transmission, if received prior to 5:00 p.m. local time on any given business day.

(b) During a general discontinuance of postal service due to a strike, lockout or otherwise any communication or notice shall only be given by personal delivery or by transmission by telecopier.

(c) Any party may at any time give written notice to each other party of any change of its address or telecopier number and from and after the giving of such notice the address or telecopier number specified shall be deemed to be the address and telecopier number of such party.

9. Each of the parties hereto covenants and agrees to do all such acts, matters and things as may be requisite and necessary to give full force and effect to the provisions of this Agreement and to carry out and perform the same in accordance with its terms.
10. The parties hereto covenant and agree that this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.
11. The words "Mortgagor", "Mortgagee" and "Lessor" where used herein shall include their respective successors and assigns.
12. This Indenture may be executed in several counterparts each of which when executed shall be deemed to be an original and such counterparts shall together constitute one and the same instrument.
13. This Agreement shall be registered forthwith after the registration of the assignment of the Mortgage from CLS to the Mortgagee. The Mortgagor agrees to register this Agreement on title to the Leasehold Land and to provide the registered duplicate thereof to the Lessor.

- 11 -

IN WITNESS WHEREOF the parties hereto have duly
executed these presents.

GGG HOTEL HOLDINGS CANADA INC.

Per: _____
NAME: _____ C/S
TITLE: _____

Per: _____

CHIGIN-SEIHO HOUSING
LOAN CO., LTD.

Per: _____
NAME: _____ C/S
TITLE: _____

Per: _____

THE CORPORATION OF THE CITY OF
HAMILTON

Mayor C/S

City Clerk

SLA*GGSCENT:VWRE

SCHEDULE "A"

Parcel 1-2, Section W-39(c), City of Hamilton,
Regional Municipality of Hamilton-Wentworth, being part of Lots
1 and 2 and the unnumbered lot in Block 1, Parts of Lots 1 and 2
and the unnumbered lot in the Block bounded by King, Park,
Market and MacNab Streets all according to DAVID KIRKENDALL
SURVEY registered in the Land Registry Office for the Registry
Division of Wentworth as Plan No. 39; and Part of Park Street
immediately east of the said Block 1 (said Park Street now
closed by the City of Hamilton By-Law No. 81-14 dated December
9, 1980 and registered in the said Land Registry Office as
Instrument No., 174954C.D.) and which said parcel may be more
particularly described as all of Part 1 according to a reference
plan received and deposited in the said Land Registry Office as
Plan 62R-7454, being the whole of said parcel.

MORTGAGE AMENDING AGREEMENT

THIS AGREEMENT made the _____ day of November, 1990.

B E T W E E N:

GG5 HOTEL HOLDINGS CANADA INC.
(hereinafter called the "Chargor")

OF THE FIRST PART

- and -

CHIGIN-SEIHO HOUSING LOAN CO., LTD.
(hereinafter called the "Chargee")

OF THE SECOND PART

WHEREAS by Charge/Mortgage of Land dated the 20th day of August, 1990 and registered in the Land Registry Office for the Land Titles Division of Wentworth (No. 62) on the 20th day of August, 1990 as Instrument No. LT285786 (the "Charge"), the Chargor granted and charged to Century Leasing System, Inc., upon the terms therein mentioned, its leasehold interest in the following lands:

Parcel 1-2, Section W-39(c), City of Hamilton,
Regional Municipality of Hamilton Wentworth as more
particularly described in Schedule "A" attached
hereto.

AND WHEREAS Century Leasing System, Inc. transferred the Charge to the Chargee by a Transfer of Charge registered in the Land Registry Office for the Land Titles Division of Wentworth (No. 62) as Instrument No. _____.

AND WHEREAS the Charge provided that interest shall be payable on any sum secured thereby on the date such sum is due and through inadvertence, the frequency of calculation of such interest was omitted.

AND WHEREAS the Chargee has requested and the Chargor has agreed to amend the Charge to provide for the frequency of calculation of interest and to make further and other minor amendments to the Charge.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the sum of Two Dollars (\$2.00) paid by the Chargee to the Chargor, the receipt and sufficiency whereof is hereby acknowledged.

1. The parties agree that paragraph 2 on page 2 of the Charge under the caption "Proviso" be deleted and the following be substituted therefor:

Proviso. This Charge shall be due and payable on demand. PROVIDED this Charge to be void upon payment of the said Indebtedness as and when the said Indebtedness shall become due and payable, with interest after default in payment thereof at the rate of interest applicable to the said Indebtedness as aforesaid, and upon the observance and performance of all covenants, provisos and conditions herein contained. It is agreed that nothing herein contained

- 2 -

shall operate so as to create any merger, rebate or discharge of any debt owing to the Chargee or of any lien, bond, promissory note, bill of exchange or other security held by or which may hereafter be held by the Chargee from the Chargor or from any other person or persons whomsoever, and these presents shall not in any way prejudicially affect any security held or which may hereafter be held by the Chargee for the said Indebtedness or any part or parts thereof or the liability of any endorser or any other person or persons upon any such lien, bond, bill of exchange, promissory note or other security or contract or any renewal or renewals thereof held by the Chargee for or on account of the said Indebtedness or any part or parts thereof, nor shall the remedies of the Chargee in respect thereof be prejudiced or delayed in any manner whatsoever by the taking of this Charge.

2. The parties agree that paragraph 11 on page 5 of the Charge under the caption "Taxes" be deleted and the following be substituted therefor:

Taxes and Statute Labour. The Chargor covenants that it will pay or cause to be paid all taxes, charges, rates and other impositions whatsoever and perform and complete any statute labour, already charged or hereafter to be charged by any authority on the Mortgaged Property as and when they shall fall due and that it will within one month from the date fixed for the payment of the last instalment of such taxes, charges, rates and other impositions for the year, or the date fixed for completion of such statute labour, produce to the Chargee, upon the request of the Chargee, evidence that the same have been paid or completed. If the Chargor should neglect to pay or cause to be paid all such taxes, charges, rates and other impositions, or neglect to complete or cause to be completed such statute labour, the Chargee shall be entitled, but shall not be obligated, to pay such taxes, charges, rates and other impositions or complete or cause to be completed such statute labour, and such payments for taxes, charges, rates and other impositions or statute labour shall be secured by this Charge and be repaid by the Chargor forthwith on demand by the Chargee and, in default thereof, shall bear interest at the rate herein provided and shall be added to the said Indebtedness.

3. The parties agree that paragraph 29 on page 10 of the Charge under the caption "Payment of Interest" be deleted and the following be substituted therefor:

29. Events of Default. Each of the following events constitutes a default:

- (a) the Chargor fails to make payment in full of the Indebtedness after demand for payment;
- (b) the Chargor commits a breach of, or fails to observe or perform, any covenant, representation or warranty under this Charge or any other agreement from time to time in effect between the Chargor and the Chargee, or if any representation or warranty of the Chargor contained in this Charge or in any other agreement from time to time in effect between the Chargor and the Chargee, shall prove to be false or incorrect in any respect; and
- (c) an event of default occurs as may be defined in any agreement from time to time in effect between the Chargor and Chargee.

- 3 -

4. The parties agree that the partial paragraph on page 11 of the Charge preceding paragraph 33 on page 11 of the Charge under the caption "Heading" be deleted and the following be substituted therefor:

32. Rights in Addition. The right, remedies and powers conferred by this Charge, are in addition to, and not in substitution for, any other rights, remedies or powers the Chargee may have under this Charge at law, in equity or by or under any statute and such remedies shall be cumulative and may be pursued separately, successively or concurrently at the sole discretion of the Chargee. No right, remedy or power of the Chargee shall be exclusive of or dependent on any other and the exercise or failure to exercise any of the same shall not constitute a waiver or release thereof or of any other right or remedy.

5. The parties agree that paragraph 34 on page 11 of the Charge under the caption "Interest on Sums Secured" be deleted and the following be substituted therefor:

34. Interest on Sums Secured. Interest shall be payable at the rate provided herein, calculated half-yearly, not in advance, on any sum secured hereby from the date such sum is due and payable until it is fully paid and such interest shall be compounded and itself bear interest at the same rate and in the same manner as any sum secured hereby, if not paid prior to the next date for calculation of interest. All such interest and compound interest shall be a charge upon the Mortgaged Property.

6. Except as amended by the terms of this agreement the parties hereto confirm all other covenants, terms and provisos of the Charge shall remain in full force and effect.

7. This agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

8. This agreement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto caused to be affixed their respective seals, duly attested to by their respective signing officers in that behalf, as of the date first above written.

GGS HOTEL HOLDINGS
CANADA INC.,

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

CHIGIN-SEINO HOUSING
LOAN CO., LTD.

By: _____
Name: _____
Title: _____

SLA-MTGAMEND:VWRE

CENTRAL AREA PLAN IMPLEMENTATION COMMITTEE

TERMS OF REFERENCE

The mandate of the Committee is to advise the Planning and Development Committee on planning matters relating to the Central Area. Including:

- The Central Area Plan. Its update and revision;
- Strategies for implementing the policies of the Central Area Plan;
- Acting as a sounding board for development proposals;
- Co-ordinating initiatives in the Central Area;
- Monitoring Central Area matters;
- Supplying representatives to other committees to give a Central Area point of view.

Administrative

- The committee will be made up of representatives of organizations and individuals who together form a knowledgeable and balanced group.
- Changes in membership will be submitted by CAPIC to the Planning and Development Committee for approval.
- A Chairperson and Vice-Chairperson will be elected by CAPIC.
- The Planning and Development Department will be responsible for co-ordinating the Committee.

Background

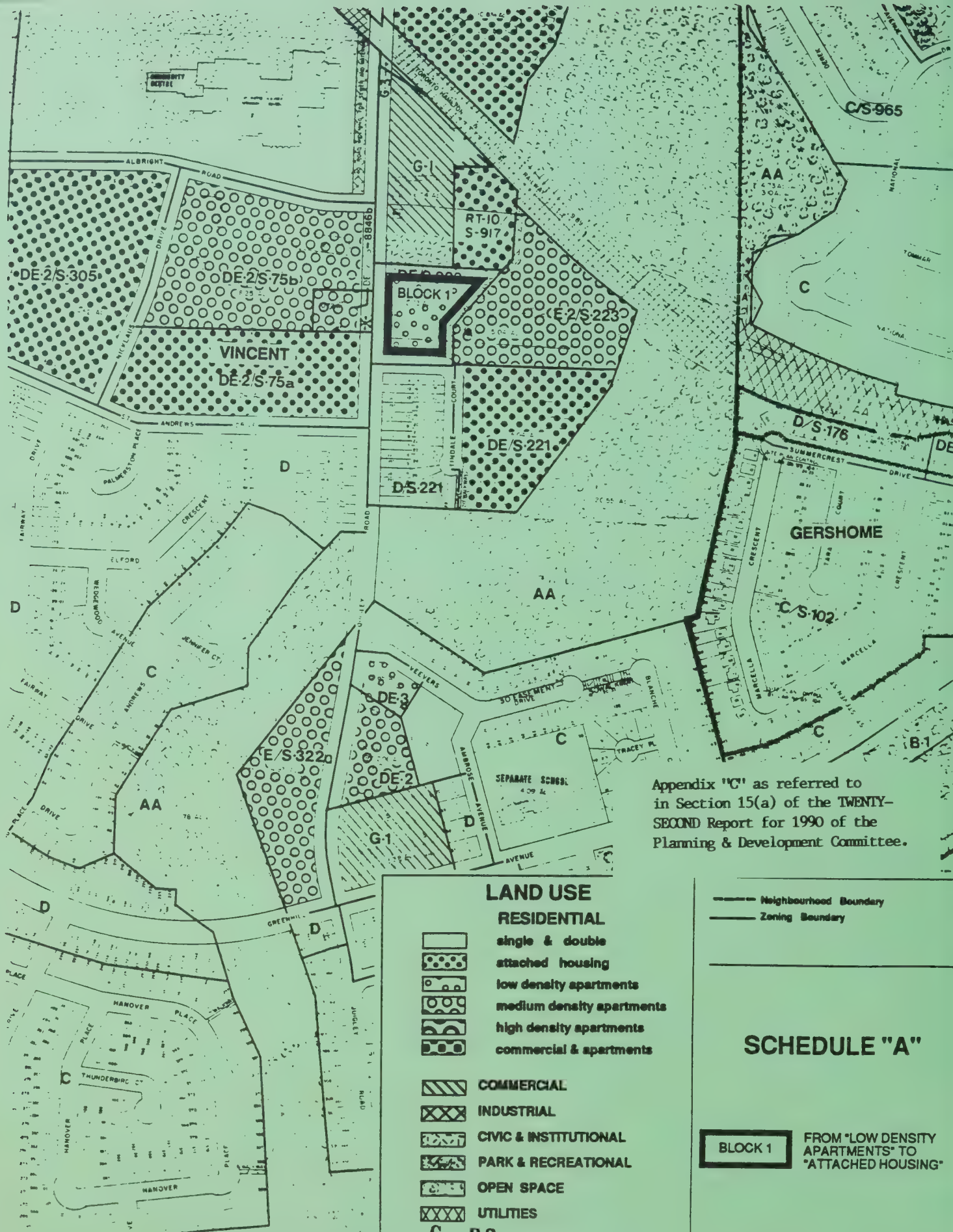
- The Central Area is identified as the area bounded by Queen Street, Victoria Avenue, the Escarpment and the Bay.
- During 1979 and 1980, the Central Area Plan Advisory Committee prepared the Central Area Plan.
- In 1981, City Council adopted the plan.
- In 1983, City Council identified the need for a policy-oriented committee to implement the plan.

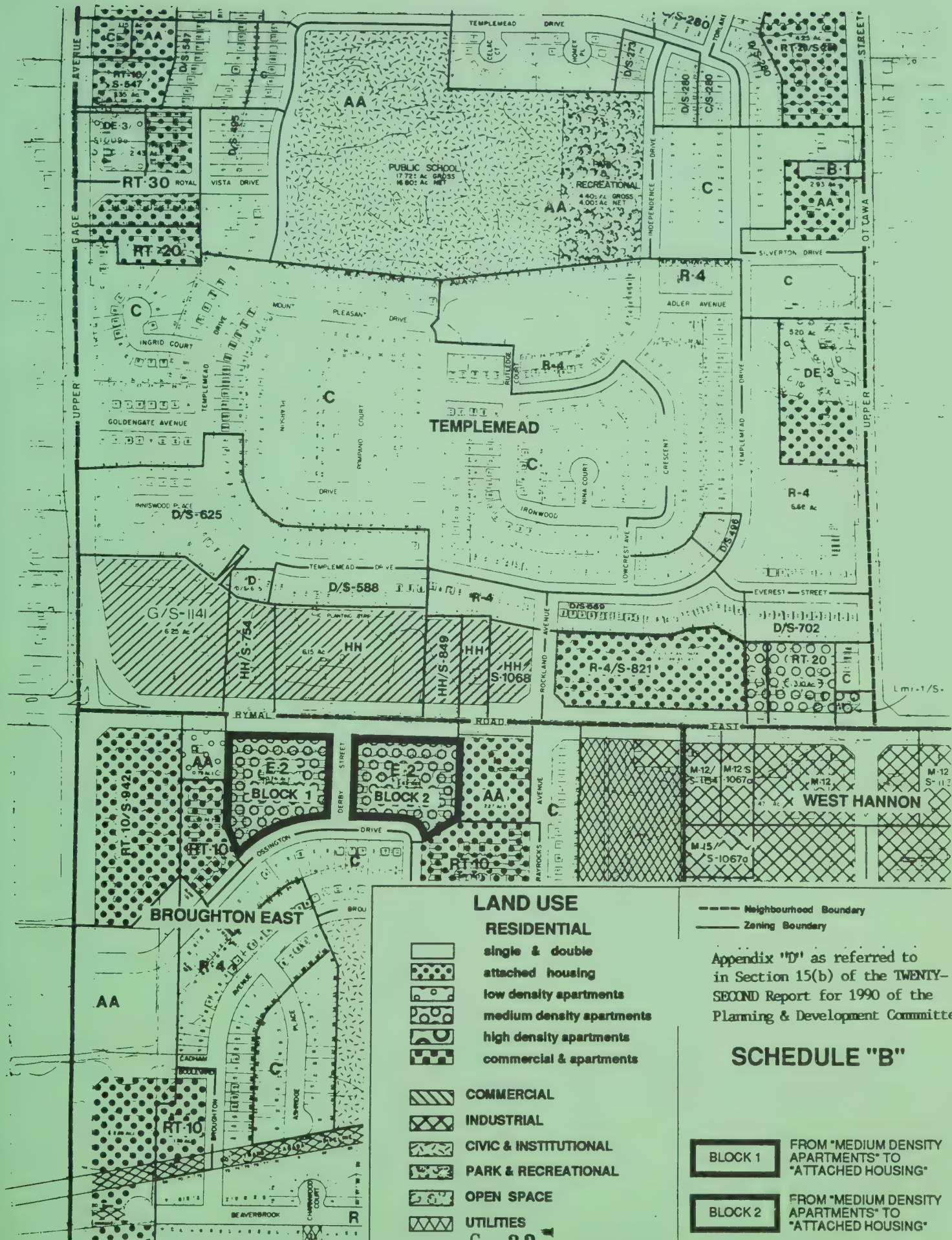
Appendix 'B' as referred to
in Section 14 of the TWENTY-
SECOND Report for 1990 of the
Planning & Development Committee.

- The Central Area Plan Implementation Committee (CAPIC) was formed by Council in February, 1984, to concentrate on policy issues and their implementation.
- Since 1984, CAPIC has undertaken a major review of the Central Area Plan.
- Additionally, CAPIC has provided advice to the Planning and Development Committee on an ongoing basis.
- In 1988, City Council approved the revised Central Area Plan and it is in the process of being incorporated into the Official Plan.

MD/dkp
A:\TERMSREF.

November 1990





LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL

INDUSTRIAL

CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

OPEN SPACE

UTILITIES

- Neighbourhood Boundary
- Zoning Boundary

Appendix "D" as referred to in Section 15(b) of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee

SCHEDULE "B"

BLOCK 1

FROM "MEDIUM DENSITY APARTMENTS" TO "ATTACHED HOUSING"

BLOCK 2







FROM "MEDIUM DENSITY APARTMENTS" TO "ATTACHED HOUSING"



Appendix "E" as referred to in Section 15(c) of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee.

LAND USE

RESIDENTIAL

-  single & double
-  attached housing
-  low density apartments
-  medium density apartments
-  high density apartments
-  commercial & apartments

COMMERCIAL

-  INDUSTRIAL
-  CIVIC & INSTITUTIONAL
-  PARK & RECREATIONAL
-  OPEN SPACE
-  UTILITIES

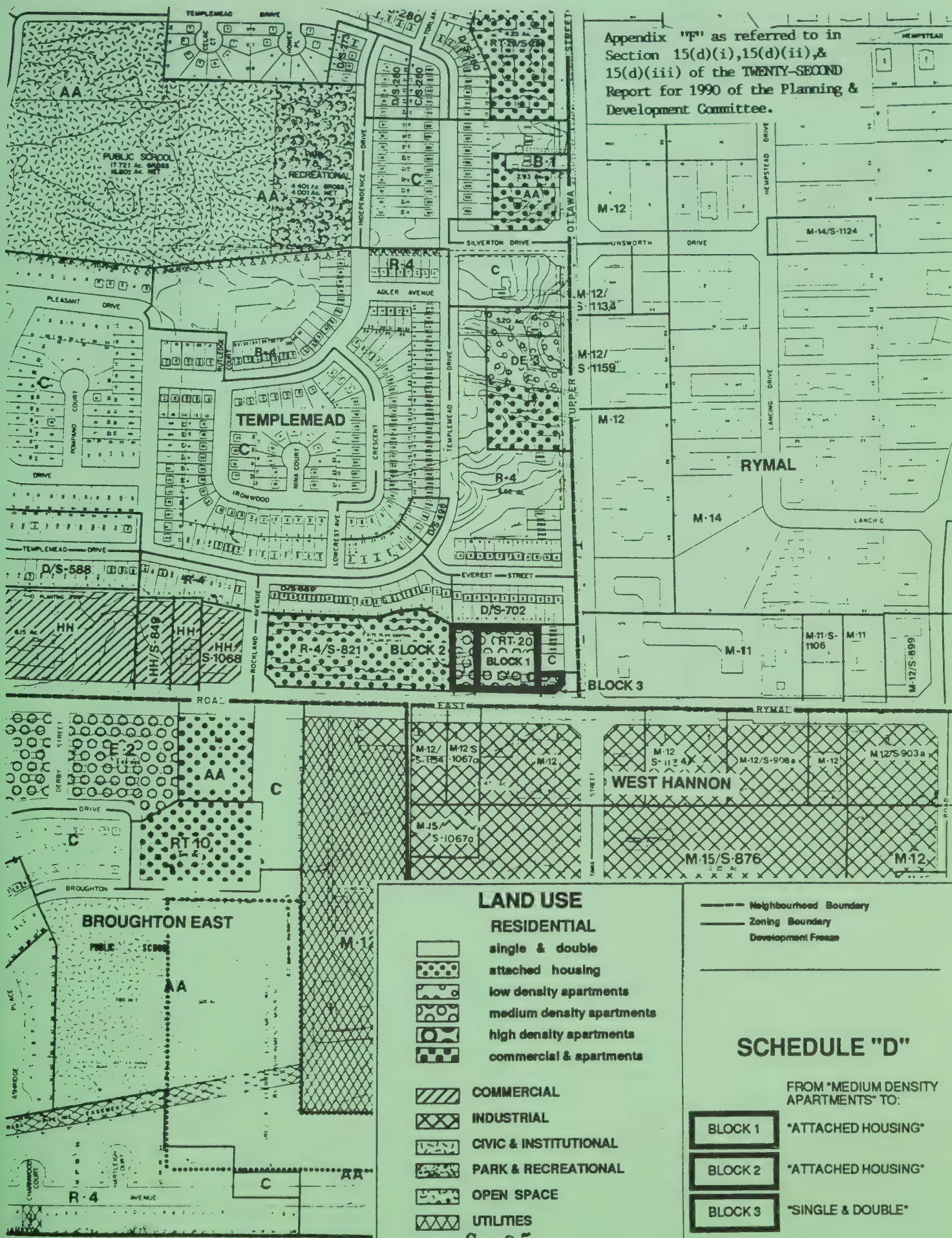
-  Neighbourhood Boundary
-  Zoning Boundary

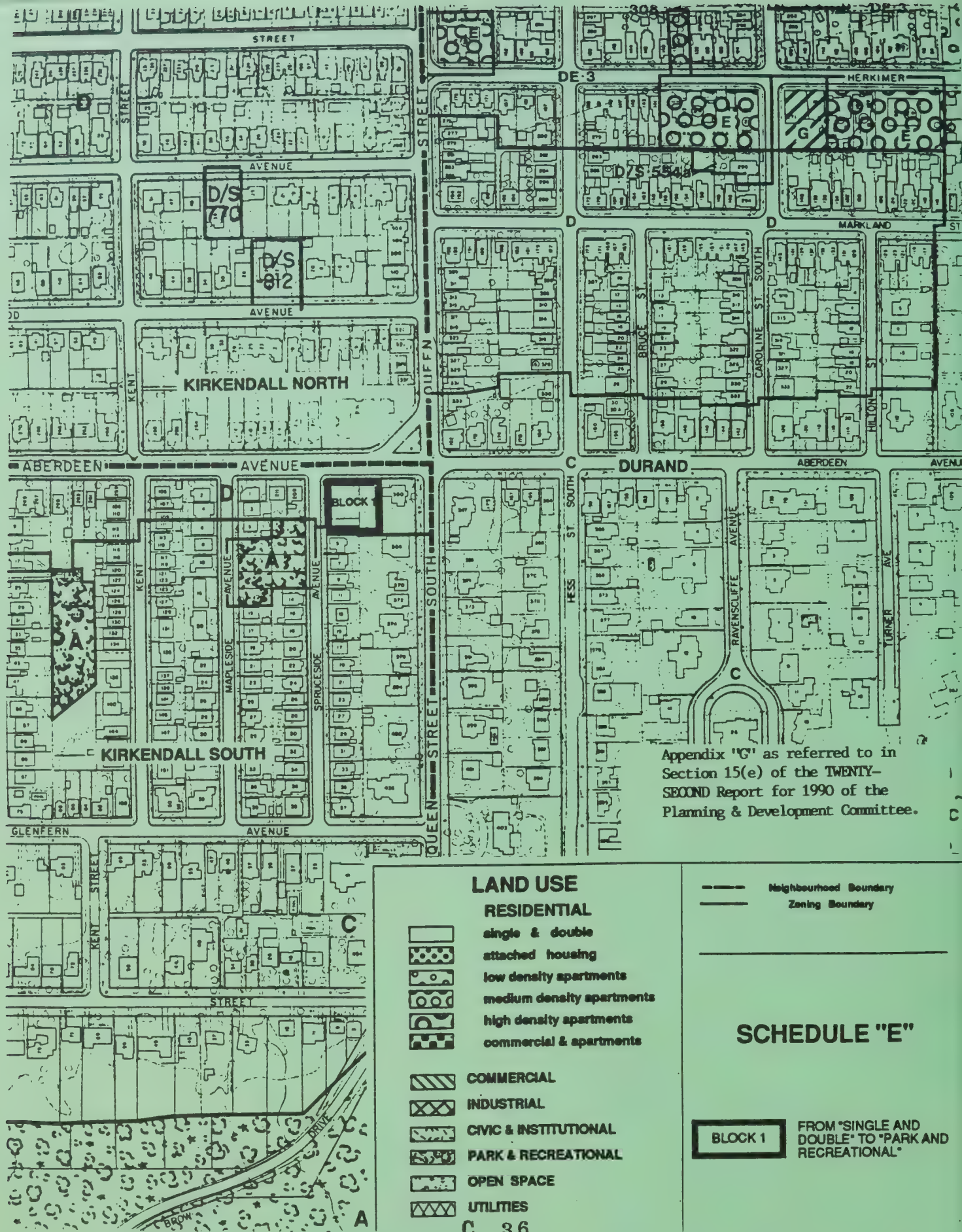
SCHEDULE "C"

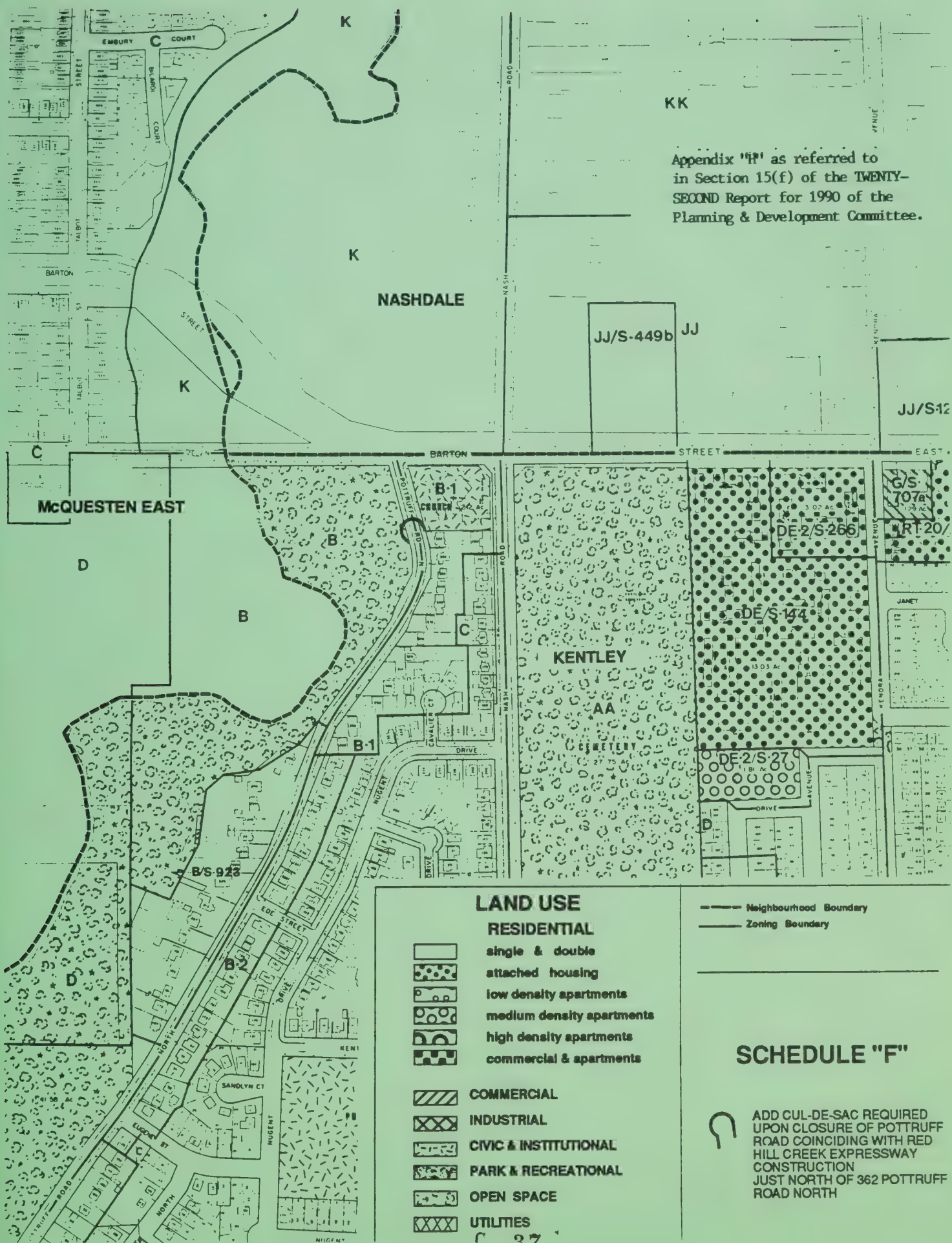
BLOCK 1

FROM "LOW DENSITY APARTMENTS" TO "ATTACHED HOUSING"

Appendix "F" as referred to in Section 15(d)(i), 15(d)(ii), & 15(d)(iii) of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee.







LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL

INDUSTRIAL

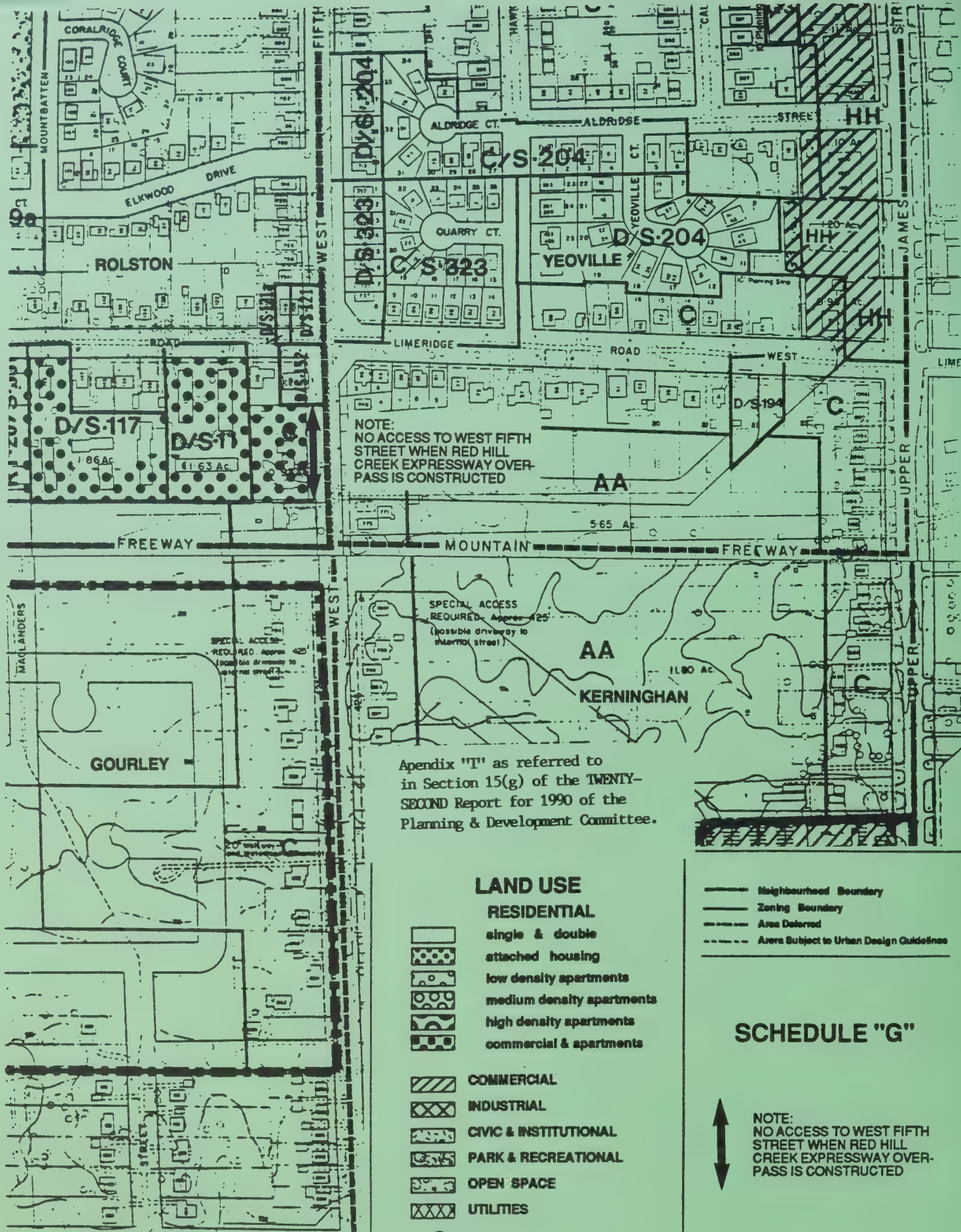
CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

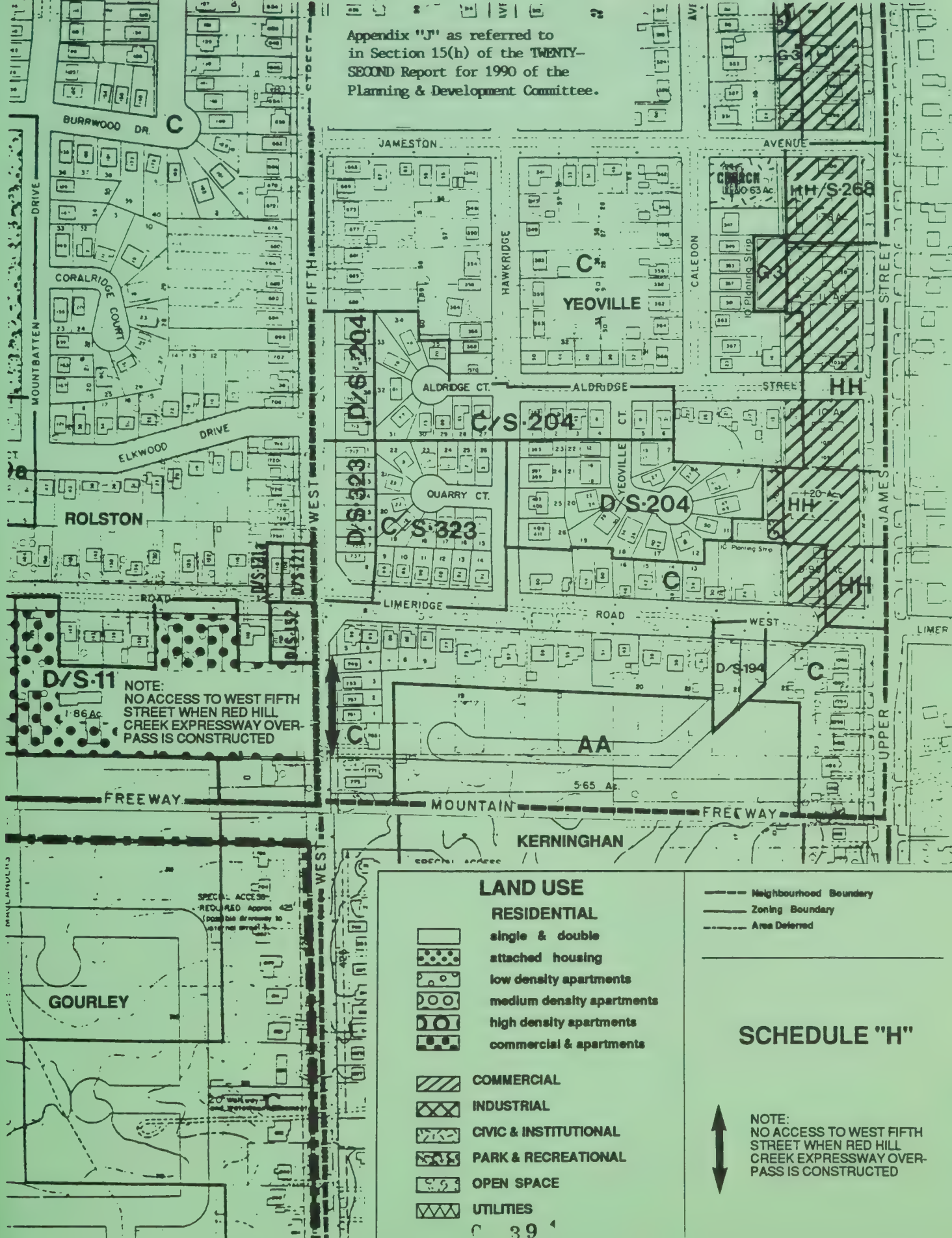
OPEN SPACE

UTILITIES

C 37



Appendix "J" as referred to in Section 15(h) of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee.



LAND USE

RESIDENTIAL

- single & double
- attached housing
- low density apartments
- medium density apartments
- high density apartments
- commercial & apartments

COMMERCIAL

INDUSTRIAL

CIVIC & INSTITUTIONAL

PARK & RECREATIONAL

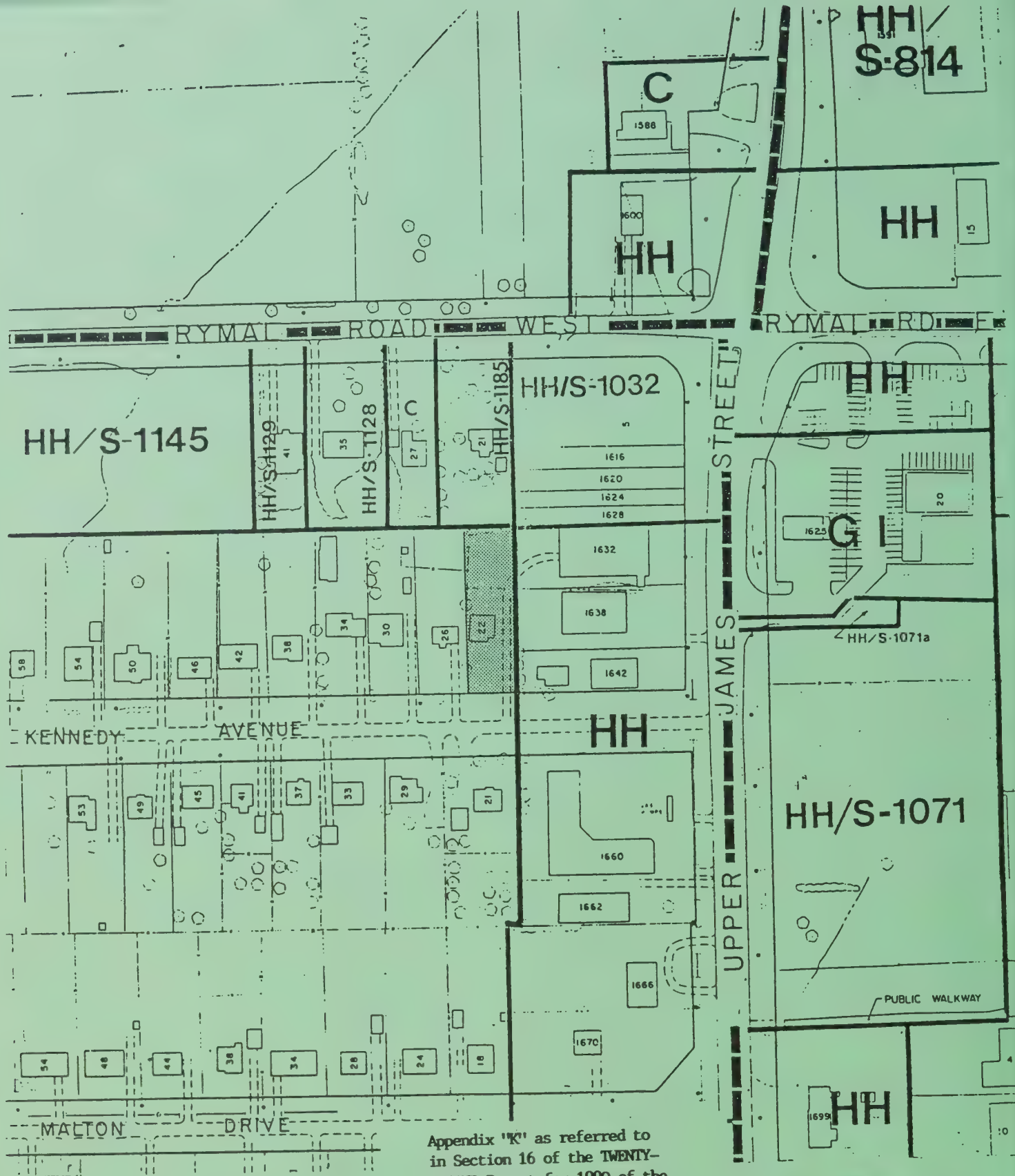
OPEN SPACE

UTILITIES

- Neighbourhood Boundary
- Zoning Boundary
- Area Deferred

SCHEDULE "H"

NOTE:
 NO ACCESS TO WEST FIFTH STREET WHEN RED HILL CREEK EXPRESSWAY OVERPASS IS CONSTRUCTED



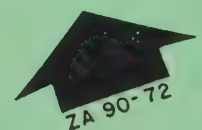
Legend



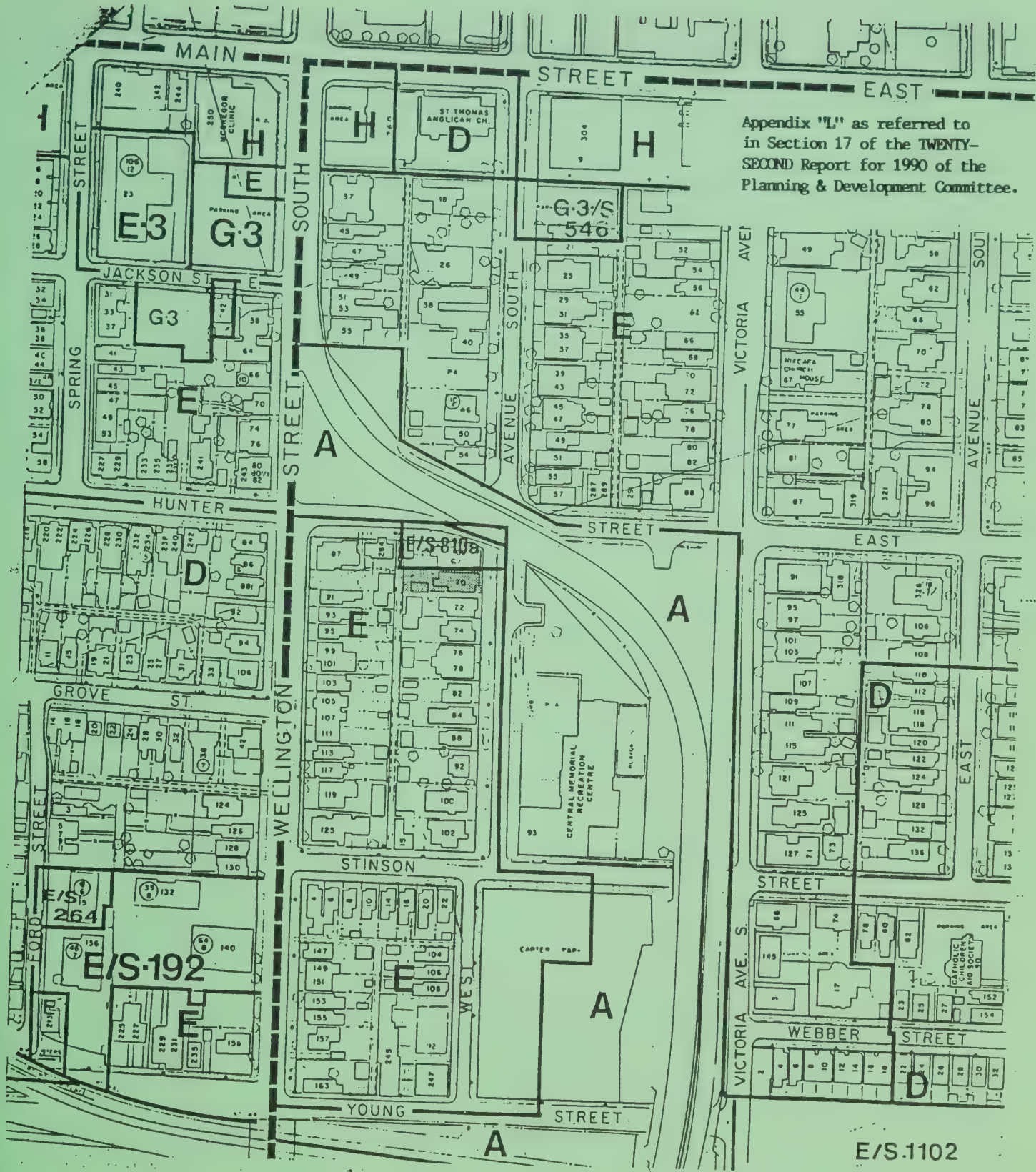
Site of the Application

Appendix "K" as referred to in Section 16 of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee.

C 40

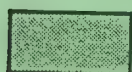


APPENDIX A



Appendix "L" as referred to in Section 17 of the TWENTY-SECOND Report for 1990 of the Planning & Development Committee.

LEGEND



SITE OF THE APPLICATION

C 41



APPENDIX A



Appendix 'M' as referred to in
Section 18 of the TWENTY-SECOND
Report for 1990 of the Planning
& Development Committee.

12/11/90

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **EIGHTH** Report for 1990 and respectfully recommends:

1. That the Cab Driver Licence renewal of Raphael J. Kolenko, 1270 Maple Crossing Boulevard, #1809, Burlington, be denied until 1991 August 14, being one year from the date of the applicant's latest driving conviction.

NOTE: For the information of members of City Council, Mr. Kolenko's Cab Driver's Licence was originally suspended by City Council on 1989 December 13 due to the applicant's extensive driving record. Mr. Kolenko subsequently reapplied for his Cab Driver Licence on 1990 June 13 at which time City Council, on the recommendation of the Licensing Committee, denied issuance of the Licence until 1990 September 1. Issuance at that time was to be contingent upon the applicant committing no further driving infractions in the meantime. Since that date, further driving convictions were recorded against Mr. Kolenko. The Licensing Committee, therefore, agreed on October 24 to recommend further denial of this licence for a one-year period from the date of the applicant's latest driving conviction.

At the request of Mr. Kolenko, the Licensing Committee granted Mr. Kolenko a rehearing on 1990 November 28, following which, they reiterated their earlier decision to recommend denial of Mr. Kolenko's licence for a one-year period from the date of the applicant's latest driving conviction on the grounds of the applicant's extensive driving record.

Further information can be obtained from the Secretary.

12/11/90

2. That the Cab Driver Licence of Harvey Rooke, 1510 Barton Street East, Hamilton, be suspended and a restriction imposed preventing the applicant from reapplying for such licence until six months from the date of reinstatement of his Provincial driving licence.

NOTE: For the information of members of City Council, the City of Hamilton Licensing Committee at its meeting of 1990 November 28, held a Show Cause Hearing and recommended that the foregoing Cab Driver's Licence be suspended and that the applicant not be allowed to reapply for a six-month period from the date of reinstatement of his Provincial Driver's Licence.

Further information can be obtained from the Secretary.

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE
CHAIRMAN
LICENSING COMMITTEE**

Stella Glover
Secretary

November 28, 1990

12/11/90

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIFTH** Report for 1990 and respectfully recommends:

1. That the Council of the Corporation of the City of Hamilton adopt 1991 as the Year for Racial Harmony in the City of Hamilton.
2. That the Mayor's Race Relations Committee be granted permission to participate in the Year for Racial Harmony Relay in 1991.

NOTE: For the information of Members of City Council, the Year for Racial Harmony Relay Project was initiated by the City of Toronto in 1989. The City of North York took up the baton by declaring 1990 as their "Year for Racial Harmony". The Mayor's Race Relations Committee therefore recommended at their meeting of 1990 October 12 that the City of Hamilton declare 1991 as the "Year for Racial Harmony in the City of Hamilton".

The proposed theme for the year is "Together We Are The One" and some suggested projects include:

January 13	Martin Luther King Memorial Service at St. Paul Ecumenical Church.
February 12	Black History Display at City Hall.
February 27	Seminar "Good Race Relations Makes Good Cents".
March 21	International Day for the Elimination of Racial Discrimination.
April 17	Forum on Inter-marriage - Differences/Similarities and a play - "Theatre Company of Sirens".
May 26	Race Relations/Policing

12/11/90

June	Community Caravan
July	Race Relations and Media

Funding for these activities will be taken from Federal funds.

RESPECTFULLY SUBMITTED

**Mayor Robert M. Morrow
Co-Chairman
Mayor's Race Relations Committee**

1990 November 16

12/11/90

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTY-SEVENTH** Report for 1990 and respectfully recommends:

1. That a purchase order be issued to Servicemaster Contract Services, Burlington, in the amount of \$23 941.25, being the lowest of two (2) quotations received, to clean and seal thirteen (13) indoor pools, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from Operating Supplies Account No. CH56103 31330.
2. (a) That a purchase order be issued to C. E. Hickey & Sons Co. Limited, Hamilton in the amount of \$705 017.65, being the lowest acceptable of three (3) proposals received, for the replacement of One (1) 100 foot Aerial Ladder Truck, Unit #1635 for the Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal, and that this expenditure be financed from Vehicle Replacement Account #CH5X502 00101.

(b) That a contract be entered into satisfactory to the City Solicitor.
3. (a) That a purchase order be issued to Contran Manufacturing, London, in the amount of \$107 998, to replace Fire Package Bodies on two Triple Combination Pumpers for the Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and that this expenditure be financed from the Reserve for Major Vehicle Repairs Account No. CH25200 00103.

(b) That a contract be entered into satisfactory to the City Solicitor.
4. That permission be granted to hold the City Hall Christmas Carol Program on the second floor foyer of City Hall on Friday, 1990 December 21 from 9:00 o'clock a.m. to 10:30 a.m.

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5. That permission be granted to the Women's Inter-Church Council to use the Council Chamber from 7:30 p.m. to 8:30 p.m. and Room 219 from 6:30 p.m. to 9:30 p.m. for their annual World Day of Prayer service on Friday, 1991 March 1.
6. That the request of the Hamilton Safety Council for permission to hang their Presidents' Plaque in City Hall be approved.
7. That the salary classifications for the following non-union positions in the Treasury Department be approved in accordance with the recommendation made by City Core Group.

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Manager of Internal Controls/Property/Taxation Project Co-ordinator	Perform an independent function within the City's organization to examine and evaluate its activities as a service to management; thus providing information about the adequacy and effectiveness of the organization's internal control and performance. Temporarily assigned responsibility for the co-ordination and direction of the implementation of a Realty and Business Taxation System capable of meeting the current and future requirements of the City and other users. *As of January 1, 1993 the position reverts to salary grade "H".	G*	\$55,823.56 - \$65,796.64
Financial Analyst	Assist in performing an independent appraisal function to examine and evaluate and provide information concerning the adequacy and effectiveness of the organization's internal control and performance.	L	\$39,040.04 - \$45,972.16
GST Financial Analyst	Research, analyze, recommend and implement policies and procedures related to the GST scheduled to be effective 1991 January 1 for a six month period.	N	\$33,932.08 - \$40,013.48

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8. That the salary classification for the following non-union position in the Mayor's Office be approved in accordance with the recommendation made by City Core Group members.

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Administrative Assistant II	To establish Mayor's Agenda and assist Mayor's staff in most aspects of office operations.	O	\$30,526.60 - \$35,877.92

9. That the salary classifications for the following non-union position in the Culture & Recreation Department be approved in accordance with the following recommendation.

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Communications Co-ordinator	To promote internal and external communications through research, fund-raising, and development of marketing strategies.	K	\$42,566.68 - \$50,107.20
Curatorial Assistant	To assist in the preservation, security and safety of the museums' collection and buildings.	O	\$30,526.60 \$35,877.92

10. That the Appointments To and Terminations from Permanent positions with the Corporation to 1990 November 23, attached hereto and marked Appendix "A", be approved.
11. That the additional funding for the City's share of services to be installed in Highridge Estates - Stage 2 for \$200 and Highridge Hills - Stage 2 for \$2 200, in the gross amount of \$2 400, as referred to in Section 7 of the Seventeenth Report of the Transport and Environment Committee, be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.
12. That the designation "Law Department" be adopted and circulated to all City departments for uniform reference.

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13. (a) That City of Hamilton By-law No. 89-249 Regulating Taxicabs be amended to permit taxi meters to be adjusted to include the Goods and Services Tax at the applicable rate as it exists from time to time, and that the total payable, inclusive of the fare and the Goods and Services Tax, may be rounded to nearest \$0.10.
 - (b) That where a taxi meter has been adjusted to include the Goods and Services Tax in the total payable that the Taxi Tariff Card be amended.
 - (c) That the City Solicitor be authorized and directed to prepare a by-law to amend By-law No. 89-249 (Taxicabs and Livery Vehicles) to reflect the foregoing for submission to City Council concurrently with the recommendations.
14. That the request for a grant in the amount of \$22 500 to be used to offset expenses associated with the President's Dinner and Citation Awards to be provided during the Canadian Country Music Week Convention to be held in the City of Hamilton at the Hamilton Convention Centre 1991 September 10 - 16, be denied.

NOTE: At its meeting 1990 November 27, City Council referred back Section 11 of the Twenty-Sixth Report of the Finance and Administration Committee which recommended approval of the above grant for further review.

The above recommendation is consistent with the General Criteria for the consideration of grants which states: "consideration will not be given to a similar application which has also been submitted to the Regional Municipality of Hamilton-Wentworth."

In this regard, the Region, through its Economic Development Department, has committed \$20 000 toward this Convention.

15. (a) That, as recommended by the Alliance for the Preservation of English in Canada, Hamilton Branch, the "English Sub-Committee" the establishment of which was approved by City Council 1990 October 9, be officially recognized as the "English Language Sub-Committee".
- (b) That the English Language Sub-Committee be composed of six (6) English speaking citizens of any ethnic background and one (1) Member of City Council, and that the Sub-Committee report to the Finance and Administration Committee.

- (c) That the English Language Sub-Committee provide a liaison between the City of Hamilton and the English speaking community by looking into the English speaking situation with the authority to recommend solutions and means of action regarding the problems encountered by Hamilton's English speaking community.

NOTE: At its meeting held 1990 October 9 City Council, on the recommendation of the Finance and Administration Committee, approved of the establishment of an English Sub-Committee to represent Hamilton's English speaking community. The Finance and Administration Committee advised that it would report back to City Council on the composition and terms of reference of the new Sub-Committee. The above recommendations are consistent with the terms of reference for the French Sub-Committee.

- 16. (a) That a sub-committee, composed of three (3) Members of City Council, be appointed to receive input from the Tow-Truck Industry, the Hamilton-Wentworth Regional Police and other interested groups or individuals respecting this issue at a Public Meeting to be held in January of 1991.
- (b) That the City Solicitor be authorized and directed to prepare a draft by-law respecting the licensing and regulating of the Tows-Truck Industry for consideration at the Public Meeting.
- 17. (a) That the following composition for the Advisory Committee on Equitable Representation on Committees, Boards and Commissions be approved:
 - (i) Members of the Sub-Committee to Review the Visible Minority Survey consisting of:
 - (i) Alderman D. Agostino, Chairman
 - (ii) Alderman M. Kiss
 - (iii) One additional Member of City Council (optional)
 - (iv) Mr. Michael Webber, Chairman of the Mayor's Race Relations Sub-Committee on Commissions and Committees
 - (v) Mr. Tyrone Childs, member of the Mayor's Race Relations Committee
 - (ii) One representative from the Hamilton Status of Women Sub-Committee.
 - (iii) One representative from the Regional Advisory Committee for the Disabled.

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- (iv) Three members from the community at large.
 - (b) That the City Clerk be directed to advertise for three citizen members for the Advisory Committee in The Hamilton Spectator, Brabant and the larger ethnic newspapers.
- 18. That the following resolution concerning a comprehensive nuclear test ban be endorsed:

WHEREAS negotiation of a comprehensive nuclear weapons test ban is the single most important step which could now be taken to prevent nuclear war, as well as to create a political climate favourable for further multilateral disarmament agreements, and

WHEREAS the City of Hamilton expects the Government of Canada to provide the leadership of a nation committed to peace;

THEREFORE be it resolved that Hamilton City Council urge the federal government to actively support negotiations for a comprehensive nuclear weapons test ban in every appropriate international forum, including the United Nations and the Conference on Disarmament.
- 19.
 - (a) That the City lease the lands located at 22 and 30 Bay Street South, Hamilton, plus 191 King Street West, Hamilton, from Leggat Investments Limited and Oakland "6" Limited for the purpose of providing public parking under the management of the Parking Authority, at a rate of \$197 000 per annum (net) for an initial fixed term from 1991 February 1 to 1991 November 30 with the right to renew, subject to OMB approval, for an additional term of four years and two months expiring on 1996 January 31. Lease is to include terms and obligations provided for in the Offer to Lease negotiated by the Hamilton Parking Authority, attached hereto as Appendix "B".
 - (b) That the Mayor and City Clerk be authorized to execute the amending Schedule "C" in the form attached hereto as Appendix "C" to amend the said Offer to Lease to provide for the proposed leasing upon the above terms.
 - (c) That the City Solicitor be authorized to apply to the Ontario Municipal Board for approval of the proposed lease renewal term of 1991 December 1 to 1996 January 31.

20. That the City of Hamilton lease back the land located at the intersection of Main and Hughson Streets, presently known as Carpark #59, once this parking lot becomes the property of the DeSantis Group Inc., this lease to cover the period from the closing of the sale of the land (1990 December 3) until the commencement of construction on the site (1991 May), subject to the following terms:

- (i) The City and Parking Authority shall remain in possession of the property subject to termination by either the City or DeSantis Group Inc. on sixty (60) days notice;
- (ii) DeSantis Group Inc. shall receive all gross revenues subject to the following deductions:
 - (a) 10% of the Gross Revenue as Administration Fee to the Parking Authority;
 - (b) All operating expenses, including labour, utilities, maintenance, insurance, realty taxes, and business taxes.

21. (a) That the Treasurer be authorized to implement the following user fees for services performed by the Treasury Department, effective 1991 January 1:

	<u>1990 Fee</u>	<u>1991 Fee</u>
(i) Tax Registrations	\$500.00	\$550.00
(ii) Cheques returned N.S.F. on all items		\$ 14.00

- (b) That these fees be increased annually for the rate of inflation rounded to the next dollar, to offset the City's administrative and processing costs in handling these items.

22. That, effective 1991 January 1, the revisions to expenditure control for the current budget as detailed on the Schedule attached hereto and marked Appendix "D", be implemented, which in general provide:

- (a) that the departments control their accounts by total departmental budget (bottom line), with the exception of the Streets, Parks, Recreation, and Property Maintenance operations which will be controlled by function (e.g. Streets-Winter Control, Recreation-District Centres);

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- (b) that the actual expenditures, which will include under-spent and over-spent individual accounts, be reviewed and approved by the Standing Committees at the time of presentation of the departmental annual estimates;
- (c) that, as a result of the above, transfers of appropriation normally made between accounts during the year will not be made, and Council will be reviewing budget amounts which will not have changed from the original estimates;
- (d) for "housekeeping" amendments to the Travel and Training Courses procedures as noted on Page 2 of Appendix "D" under 3)i)a) and 3)ii);
- (e) for clarification of monitoring of some non-department accounts, as noted on Page 4, under 5)vii);
- (f) for an increase in the allowable limits at each stage of approval for those expenditures not covered by the purchasing procedures or other legislation as noted on Page 4, under 6);
- (g) that the standard letter to Committee with respect to paying of holdbacks be eliminated as noted on Page 4, under 7).

23. The the following revisions to the Purchasing Policy be approved:

- (a) That the reference to Director of Purchasing be changed to Manager of Purchasing.
- (b) That the reference to Purchasing Department be changed to Purchasing Division, Treasury Department.
- (c) That Policy #1 be amended by deleting the word "organizations" and adding "Committees of Council".
- (d) That the spending limits, which were approved in 1975, in Policy #3 be changed as follows:
 - i) Field Purchase Order - change from \$100 to \$200
 - ii) Issuing Purchase Orders where funds are in budget - maximum approval
 - aa) Department Head and Purchasing staff - change from \$101 to \$201 and from \$5 000 to \$15 000
 - bb) Department Head and CAO - change from \$5 001 to \$15 001 and from \$15 000 to \$25 000

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- cc) Mayor or Chairman of Standing Committee and CAO - change from \$25 000 to \$50 000
- dd) Council - change from over \$10 000 to over \$50 000
- (e) That Policy #6, Exception #2 be amended by adding "and agencies that are members of the Co-operative Purchasing Group".
- (f) That Policy #7 be amended by adding to the first paragraph "When it is decided that the City/Region will participate in a Co-operative Purchasing tender, the policy of the agency calling the Tender/Proposal/Quotation will be followed."
- (g) That Policy #9 be amended to read:

Only the Purchasing Division shall dispose of declared surplus property in the most cost efficient and effective manner after approval has been received from the Chief Administrative Officer. Any useable equipment or material must be offered, first to other user Civic/Region departments and Agencies, secondly to the Area Municipalities, and then to public agencies within the Co-operative Purchasing Group. If there is still property to be disposed of it can be sold through sealed bids or public auction. If it is not sold or disposed of in any of the above, it shall be declared scrap and disposed of accordingly.

No employee or elected official shall bid on the sale of goods except those disposed of by public auction or by sealed bids.

No employee of the City, working at the auction, shall bid for any such items.
- (h) That Policy #13 Local Preference buying not be amended.
- (i) That the Procedures for Construction and Demolition Contract Requirement, attached hereto and marked Appendix "E", be approved as amended. See *'s and notes.
- (j) That the following be added to Policy #3
 - i) The amounts stated are to be increased annually in accordance with the Consumers' Price Index and rounded to the nearest \$1 000, except for d) i) which shall be to the nearest \$100.

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24. That the expenditure and revenue accounts related to parking meters, namely:

1)	CH 5XXXX-25325	Parking Meter Collection - Treasury	\$117,920
2)	CH 5XXXX-75915	Parking Meter Maintenance - Traffic	139,780
3)	CH 4XXXX-75925	Revenue - On-Street Meters - Traffic	(600,850)
4)	CH 44041-25325	Meter Collection Fee - Treasury	(54,940)
5)	CH 54119-23000	Provision for Off-Street Parking - Finance	<u>398,090</u>

Net Transfer	<u>0</u>
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be transferred as at 1991 January 1 to the accounts of the Parking Authority for the administrative purposes of:

- i) consolidating these accounts under one cost centre in the Parking Authority budget, inasmuch as the Parking Authority's Reserve for Off-Street Parking receives the net revenue from this operation;
 - ii) providing the Parking Authority with access to the monitoring of these accounts on an on-going basis, and allowing them and other users to review the results of all parking meter operations which affect the Reserve;
 - iii) simplification of stock control (meter parts) in the Traffic Department by eliminating the need to separate the on-street and off-street stock as is presently the case.
- (b) That is is understood the responsibility for policies relating to the placing or removal of meters from any location will remain with the Traffic Department through reporting to the Transport and Environment Committee of the City or to the Engineering Services Committee of the Region.
25. (a) The the Summary of Capital Projects in Progress as at 1990 September 30, attached hereto as Appendix "F", be received for information.
- (b) That the following projects are being removed from this Status Report because they have been satisfactorily completed and, will be deleted from the Treasurer's records as 1990 December 31:

<u>No.</u>	<u>Description</u>	<u>Gross Cost</u>
(1)	(2)	(3)
32	New Computer Workstations	\$ 75,000
34	Replacement of Rink Slab & Boards-Mountain Arena	496,000
41	H.S.P.C.A. Capital Grant	282,000

12/11/90

320	Sir Winston Churchill Centre-Filtration System	150,000
367	Sackville Hill Park - Pave Parking Lot	60,000
383	Bow Valley Creek - Alterations	60,000

- (c) That the following previously approved projects, which have not been proceeded with for various reasons, be cancelled and deleted from the status report:

<u>No.</u> (1)	<u>Description</u> (2)	<u>Gross Cost</u> (3)
2	Ceramic Belting Replacement and Window Repair - City Hall	\$ 40,000
45	Major Upgrading of City Hall - Needs Study	100,000
213	Parking Authority - John/Rebecca Decking	2,600,000
215	Parking Authority - King William/Mary Decking	100,000

26. That Hamilton City Council support the plan of the City of Toronto Safe City Committee to ask the Federal Government to establish a Royal Commission on violence against women.
27. (a) That, consistent with the current procedure respecting the selection of citizen members to various Committees, Boards and Commissions, the City Clerk be authorized to publish a public notice inviting citizens of the community to submit their name to serve on the Hamilton Harbour Commission as the Federal Government's appointee.
- (b) That from the applications received, and as a result of interviews conducted by the Finance and Administration Committee, the applicants be short listed for Council's approval and forwarded to the Federal Government as nominees of Hamilton City Council to be considered for appointment to the Hamilton Harbour Commission.
- (c) The a formal invitation be extended to the three (3) local members of the Federal Government to meet with the Finance and Administration Committee at their convenience to discuss the composition of the Hamilton Harbour Commission.
28. (a) That the City of Hamilton offer to settle Ontario Court of Justice (General Division) Action No. 4371/84 by the payment of \$28 000 inclusive of pre-judgment interest, legal costs and disbursements to the Plaintiffs, James Morris, Sandra Morris and Jonathan Morris.

12/11/90

- (b) That the Plaintiffs, James Morris, Sandra Morris and Jonathan Morris be required to provide a Full and Final Release to the City of Hamilton in a form satisfactory to the City Solicitor and that the Ontario Court of Justice (General Division) Action No. 4371/84 be dismissed as against The Corporation of the City of Hamilton
- 29.
 - (a) That the City agree to resolve Ontario Court of Justice (General Division) Action No. 7187/70 by the payment to the Plaintiff, Memorial Gardens (Ontario) Ltd., of the following sums:
 - (i) Damages in the amount of \$21 212.50.
 - (ii) Interest on the damages at 3% per annum calculated from 1977 August 1st to the date of payment.
 - (b) That the City obtain from the Plaintiffs a Deed to the effected property.
 - (c) That the Action be dismissed as against the City of Hamilton.
- 30. That, with respect to the City of Hamilton ats Andrea Horvath, the City resolve this compensation claim on the following terms:
 - (a) The City shall pay to Andrea Horvath the sum of \$1 616.83.
 - (b) That the City forgive rental arrears owing by Andrea Horvath in the amount of \$207.13.
 - (c) That the City shall pay legal costs to Andrea Horvath in the amount of \$500.
 - (d) That Andrea Horvath execute a Release satisfactory to the City Solicitor.
- 31.
 - (a) That the City agree to resolve Ontario Court of Justice (General Division) Action No. 3984/86 by the payment of \$2 500 inclusive of interest and cost to the Plaintiffs, Barbara and Leydon MacDonald.
 - (b) That the Plaintiffs be required to execute a Release satisfactory to the City Solicitor and that the action be dismissed as against the City of Hamilton without costs.

12/11/90

32. That leave be granted to introduce the following Bills:

- Bill H-117 A By-law to Amend Municipal Tax Levy By-law No. 71-69 Respecting Fee For Treasurer's Tax Certificate.
- Bill H-118 A By-law to Amend Market By-law No. 81-180 Respecting Fees.
- Bill H-119 A By-law to Amend Schedule 4 to Licensing By-law No. 79-323 Respecting Taxi-Cab Rates Or Fares To Be Charged And Adjusting Meters To Include Goods And Services Tax.
- Bill H-120 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**ALDERMAN B. HINKLEY, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1990 December 06

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Pamela Beam	Parking Control Officer (B-5)	Traffic	Replacing Mr. J. Gubbins - promoted	\$25,352.60 to \$29,666.52	\$26,214.76 per annum (2 of 5)	12/11/90
Mr. Ross Blair	Lieutenant (C-7)	Fire	Replacing Mr. G. Colbourne - deceased	\$51,063.31	\$51,063.31 per annum (1 of 1)	18/11/90
Ms. Wendy Crevier	Traffic Planning Technologist (A-12)	Traffic	Returning to former position was replacing Mr. M. White - promoted	\$34,223.80 to \$40,150.24	\$37,442.60 per annum (3 of 5)	12/11/90
Mr. Jim Friend	Communication Operator (C-5)	Fire	Returning to former position	\$47,199.74	\$47,199.74 per annum (1 of 1)	11/11/90
Mr. James Gubbins	Parking Control Supervisor (N-2)	Traffic	Additional Staff - Council approved June 26, 1990	\$33,932.08 to \$40,013.48	\$33,932.08 per annum (1 of 5)	29/10/90
Mr. Raymond Harkness	Labourer/Truck Driver (D-7)	Public Works	Replacing Mr. W. Moffatt - promoted	\$28,593.76 to \$29,009.76	\$29,009.76 per annum (2 of 2)	05/11/90
Mr. Donald Inglis	Supervisor of Inspection Services (K)	Building	New Position - Council approved October 30, 1990	\$42,566.68 to \$50,107.20	\$48,161.88 per annum (4 of 5)	05/11/90

Appendix "A" as referred to in Section 10 of the TWENTY-SEVENTH Report of the Finance and Administration Committee for 1990.

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Basia Jacobs	Invoice Checking Clerk (E-3)	Treasury	Replacing Mr. J. Whitwell - transferred	\$21,062.60 to \$22,755.20	\$21,062.60 per annum (1 of 3)	08/11/90
Mr. Lorne LeBlanc	Parking Control Officer (B-5)	Traffic	Replacing Mr. B. McCoy - promoted	\$25,352.60 to \$29,666.52	\$26,214.76 per annum (2 of 5)	12/11/90
Mr. Patrick McCafferty	Lieutenant (C-7)	Fire	Replacing Mr. T. Lane - promoted	\$51,063.70	\$51,063.31 per annum (1 of 1)	18/11/90
Mr. Alan McCandless	Lieutenant (C-7)	Fire	Replacing Mr. D. Phillips - promoted	\$51,063.31	\$51,063.31 per annum (1 of 1)	18/11/90
Mr. David O'Reilly	Labourer/Truck Driver (D-7)	Public Works	Replacing Mr. J. Syty - retired	\$28,593.76 to \$29,009.76	\$28,593.76 per annum (1 of 2)	23/10/90
Mr. George Robis	Zoning Examiner & Code Correlator (A-10)	Building	Replacing Mr. H. MacMillan - retired	\$31,713.24 to \$37,768.64	\$31,713.24 per annum (1 of 5)	28/09/90
Mr. John Spolnik	Supervisor of Inspection Services (K)	Building	New Position - Council approved October 30, 1990	\$42,566.68 to \$50,107.20	\$42,566.68 per annum (1 of 5)	05/11/90
Ms. Penny Ulbinas	Horticultural Technical Assistant (A-12-A)	Public Works	Replacing Mr. R. Duckworth - promoted	\$39,112.32 to \$45,886.88	\$40,888.64 per annum (2 of 5)	05/11/90

Prepared 23/11/90

THE CORPORATION FOR THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Susan Vickers	Parking Control Officer (B-5)	Traffic	Replacing Mr. G. Abel - promoted	\$25,352.60 to \$29,666.52	\$26,214.76 per annum (2 of 5)	12/11/90
Mr. John Whitwell	Clerk Typist II (E-2)	Treasury	Replacing Ms. A. Orzel - promoted	\$19,756.36 to \$21,283.60	\$20,545.20 per annum (2 of 3)	08/10/90

Prepared 23/11/90

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Homer Babin	Traffic Serviceman/ Woman II	Traffic	Resigned	9 years	09/11/90
Mr. John Gyurko	Draftsman/Woman I	Property	Terminated	13 years, 5 months	29/10/90



ONTARIO REAL ESTATE ASSOCIATION
LANDLORD'S COPY () TENANT'S COPY () AGENT'S COPY ()
OFFER TO LEASE (COMMERCIAL)

TO: Oakland "6" Limited, and Leggat Investments Limited
(hereinafter called the "Landlord")

FROM: Hamilton Parking Authority
(hereinafter called the "Tenant")

DATE OF OFFER: November 14, 1990

The Tenant hereby offers to lease from the Landlord the premises as described herein through Chambers & Company Limited
the Landlord's Agent on the terms and subject to the conditions as set out in this Offer.

1. PREMISES:
The "Premises" consisting of approximately 68,628 square metres (68,628 square feet) more or less ~~as shown on the plan attached as Schedule "A"~~ known municipally
as 22 and 30 Bay Street, Hamilton, plus 191 King Street, Hamilton
in the City of Hamilton, Province of Ontario, as shown outlined in RED on the plan attached as Schedule "A"

2. USE:
The Premises shall be used only for parking and ancillary uses allowed by existing zoning.

3. TERM OF LEASE:
(a) The Lease shall be for a term of sixty (60) months commencing on the 1st day of February, 1991
and terminating on the last day of January, 1996
(b) ~~The Lease shall be for a term of _____ months commencing on the _____ day of _____, 19____ and terminating on the _____ day of _____, 19____.~~

4. RENTAL:
Fixed minimum rent: (being a guaranteed base rent subject to increase as herein after provided)
The fixed minimum rent payable by the Tenant for each complete twelve-month period during the lease term shall be:
(i) during the Five year(s) of the term: One Hundred Ninety Seven Thousand dollars (\$ 197,000.00)
(ii) during the next _____ year(s) of the term: _____ dollars (\$ _____)
(iii) during the next _____ year(s) of the term: _____ dollars (\$ _____)
(iv) during the last _____ year(s) of the term: _____ dollars (\$ _____)

One-twelfth of the fixed minimum rent shall be paid in advance to the Landlord each month on the First day of such month.

5. SERVICES AND BUSINESS TAXES:
The Tenant shall pay its own hydro, gas, water, heating costs, air-conditioning costs and for all other services and utilities as may be provided to the premises. The Tenant shall arrange with the local authority for connection of gas, electricity, and water in the name of the Tenant. The Tenant shall pay its own business taxes.

6. ADDITIONAL RENT AND CHARGES:
The Tenant shall additionally pay ~~for all costs and expenses incurred by the Landlord in maintaining, operating, cleaning, insuring and repairing the property and, without limiting the generality of the aforesaid, such costs and expenses shall include the costs of:~~
(i) snow, garbage and trash removal;
(ii) landscaping and planters;
(iii) heating, ventilating and air-conditioning, and providing hot and cold water and other utilities and services to, and operating the common areas of the property, and maintaining and repairing the machinery and equipment providing such utilities and services;
(iv) the realty taxes, assessments, rates, charges and duties levied or assessed against the property (save any tax on the personal income of the Landlord);
(v) insuring the property and such other insurance as the Landlord will effect against public liability, property damage, loss of rental income and other casualties and risks.

7. SIGNAGE:
The Tenant may, at its expense, erect signage subject to the Landlord's prior written approval as to the design, color, and content of any such signs, which consent shall not be unreasonably withheld, and to be located as follows:
as necessary and reasonable

8. LANDLORD'S AND TENANT'S WORK:
The Landlord agrees to complete the work described as the "Landlord's Work" in Schedule "A" attached hereto and made part hereof. The Tenant agrees to complete any additional work necessary to prepare the Premises for the Tenant's use, described as "Tenant's Work" in Schedule "A" attached hereto. The Tenant shall not proceed with any work within or affecting the Premises without the Landlord's prior written approval, which approval shall not be unreasonably withheld.

9. EXECUTION OF LEASE:
The form of the Lease will be ~~prepared at the Landlord's expense, in accordance with the terms and conditions of the Offer, and the Lease will be signed and executed by both parties hereto prior to occupancy by the Tenant.~~

~~_____~~
~~_____~~
~~_____~~

11. ASSIGNMENT:
This Offer to Lease shall not be assignable or otherwise transferrable by the Tenant. The Tenant may not sublet or assign or transfer its interest in the Lease contemplated herein without securing the written consent from the Landlord, which consent shall not be unreasonably withheld, provided however, if the consent is granted, the Tenant shall remain liable for all obligations under the Lease.

12. SECURITY DEPOSIT AND PREPAID RENT:

The Tenant delivers herewith a negotiable cheque payable to

in the amount of

..... dollars
to be deposited and held without interest as security for the faithful performance by the Tenant of all terms, covenants and conditions of the Offer and after execution of the Lease, to be held as security for the faithful performance by the Tenant of all the terms of the Lease to be applied by the Landlord against the first, and last month's rent. If the Offer is not accepted, the deposit is to be returned to the Tenant without interest or deduction.

13. SCHEDULES:

The Schedules attached hereto shall form an integral part of this Offer to Lease and consist of:

Schedule(s) "A" & "B"

14. NO REPRESENTATION:

It is understood and agreed that there are no covenants, representations, agreements, warranties or conditions in any way relating to the subject matter of this Offer, whether express or implied, collateral or otherwise, except those set forth herein.

15. BINDING AGREEMENT:

This Offer and the acceptance thereof shall constitute a binding agreement by the parties to enter into the Lease of the Premises and to abide by the terms and conditions herein contained.

REVOCATION:

This Offer shall be irrevocable by the Tenant and shall be open for acceptance by the Landlord until 5:00 p.m. on the 23 day of November, 1990, after which time if not accepted this Offer shall be null and void and all monies paid thereon shall be returned to the Tenant without interest or deduction.

DATED AT Hamilton

SIGNED, SEALED AND DELIVERED in the presence of:

THIS DAY OF November, 1990

HAMILTON PARKING AUTHORITY

Per:

(Witness)

Tenant (Authorized Official)

11/ /90

Date

Per:

(Witness)

Tenant (Authorized Official)

Date

Per:

(Witness)

Guarantor

Date

We, the Landlord hereby accept the above offer, and agree to pay to the Agent a commission of \$16,000.00. Said commission will be due and payable at the commencement of the term and may be deducted from the deposit with any remaining balance to be paid forthwith.

If the term of the Lease is renewed, extended or continued, whether by the exercise of any option to renew or otherwise, the Landlord agrees to pay to the Agent a further commission of % of the total yearly rental for each such year that the original term is so renewed, continued or extended. Said commission will be payable on the date that any option to renew is exercised or the date on which the term of the Lease is otherwise renewed, extended or continued.

DATED AT Hamilton

THIS DAY OF Nov., 1990

SIGNED, SEALED AND DELIVERED in the presence of:

OAKLAND "6" LIMITED

Per:

(Witness)

Landlord (Authorized Official)

11/7/90

Date

LEGGAT INVESTMENTS LIMITED

Per:

(Witness)

Landlord (Authorized Official)

11/10/90

Date

* NO FURTHER COMMISSION PAYABLE UNDER ANY CIRCUMSTANCES. NO COMMISSION PAYABLE FOR RENEWALS OR EXTENSIONS. NO COMMISSION PAYABLE IF TRANSACTION NOT COMPLETED FOR ANY REASON.

ATTACHED TO AND FORMING PART OF THE OFFER TO LEASE

BETWEEN:

OAKLAND "6" LIMITED
AND LEGGAT INVESTMENTS LIMITED

(Landlord)

AND:

HAMILTON PARKING AUTHORITY

(Tenant)

1. This Offer to Lease is conditional by the Tenant upon receiving final approval from the Municipal Council of the City of Hamilton on or before December 11th, 1990, failing which this Agreement shall become null and void.
2. This Offer to Lease is conditional by the Landlord upon receiving release from Chrysler of Canada Ltd. from the existing lease on the Real Property on or before January 3rd, 1991, failing which this Agreement shall become null and void.
3. The Tenant agrees to demolish and remove all buildings on the property and to prepare and finish the property to the standards for a municipal parking lot at their sole expense. Said expense to include all demolition cost and permits and approvals.
4. Either or both Landlords for their respective properties shall have the right to terminate it's portion of the herein described Lease for that portion of the property owned by either or both Landlords at the end of the fourth year or any time thereafter during the term of the lease. Said notice to be given by the Landlord who wishes to terminate, to the Tenant in writing at least 180 days before such termination and the appropriate Landlord hereby agrees that should such termination occur prior to the end of the initial five year term then the terminating Landlord shall pay to the Tenant any undepreciated cost of demolishing the buildings on the terminated site and preparing the terminated site. Said depreciation to be considered as the straight line method over the five year term of the Lease. Should only one landlord terminate, the lease shall remain effective for the remaining (non-terminating) Landlord and the rent shall abate as follows:
 - a) Termination by Oakland "6" Limited - \$49,000.00 p.a. abatement.
 - b) Termination by Leggat Investments Limited - \$148,000.00 p.a. abatement.
5. The Tenant agrees that, forthwith upon all conditions being satisfied herein, each Landlord shall be provided without cost to them one vehicle parking pass valid at any Hamilton Parking Authority site during the term of the herein described Lease.
6. *After all conditions have been satisfied and prior to demolition commencing*
The Landlord shall have the right ~~before January 1, 1991~~ to remove any chattels or mementoes on the Real Property.

buildings,

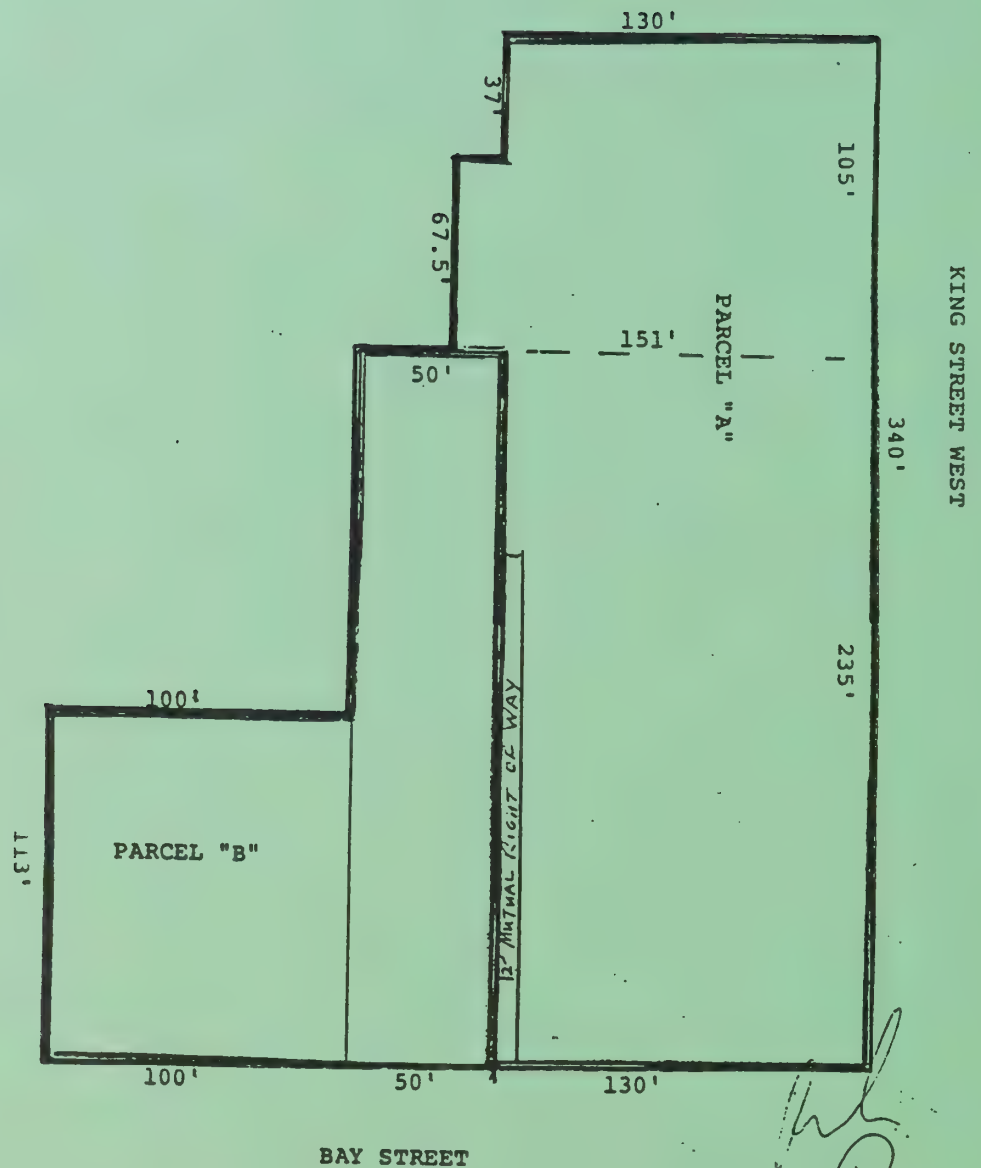
from

- Full (1) LANDLORD*
7. The ~~Vendor~~ agrees to permit access by the Tenant to the property after all the Landlord's and Tenant's conditions have been satisfied, and the Tenant shall have the right to commence demolition of the building at such time, subject to prior notice to the Landlords.
 8. This Offer to Lease is conditional by the Tenant upon receiving on or before December 3, 1990, satisfactory proof that there will be no extraordinary costs of demolition, including, without limiting the generality of the foregoing, any costs of removal of toxic, hazardous and/or industrial waste and material from the said property, and including the removal of any storage tanks and receptacles for combustible materials, failing which this Agreement shall become null and void.
 9. The Landlord shall pay all municipal realty taxes and utility charges for the property to the 31st day of January, 1991.
 10. Upon the execution of the Lease, the Landlord consents to the registration by the Tenant of a Notice of Lease against the lands herein.
 11. For greater clarity the parties agree that this Lease is to be a Net Lease and that the rent and additional rent provided to be paid to the Landlord hereunder shall be absolutely net to the Landlord, and that all costs, expenses and obligations of every kind and nature whatsoever relating to the premises shall be paid by the Tenant. These expenses are understood to include all other expenses in any way related to the Property including the G.S.T., the Commercial Concentration Tax, and any special or other taxes that may be now or in the future levied on parking lots; but shall not include the Landlord's income tax.
 12. Lease to provide that Tenant will indemnify and save the Landlord harmless from all suits, claims, demand actions, causes of actions and related costs and expenses, that arise during the tenancy unless caused by the Landlord's own negligence or wilful act.
 13. In addition to the guaranteed base annual rental of ONE HUNDRED AND NINETY SEVEN THOUSAND DOLLARS (\$197,000.00), the Tenant shall pay to the Landlord a Participation Rental commencing in the third year of the term, calculated as thirty-three and one-third percent (33-1/3%) of gross revenues in each year of the term in excess of gross revenues collected by the Tenant in the second year of the term. For the purpose of this calculation, "year" shall mean a twelve (12) month period commencing on February 1.

"Gross revenues" shall mean the sum of all monies received by the Lessee with respect to the leased premises before deductions for taxes, operating expenses, or any other deductions whatsoever, save and except, should the Tenant enter into an agreement with an NHL franchise rebating parking revenue to the team, then the amount of the rebate shall be deducted from gross revenue. *NO OTHER SPECIAL CONSIDERATION TO BE MADE WITHOUT THE LANDLORDS PRIOR WRITTEN CONSENT*

Full (1) Such Participation Rental shall be paid within ninety (90) days of the end of each year of the term.

Full (2) * Rebate not to exceed 50% of parking price. *Full (2)*



SCHEDULE "C"

Appendix "C" as referred to in
Section 19(b) of the TWENTY-SEVENTH
Report of the Finance and
Administration Committee for 1990.

attached to and forming part of an Offer to Lease dated November 14, 1990 from the Hamilton Parking Authority (called the Tenant) to Oakland "6" Limited and Leggat Investments Limited (together known as the Landlord) and accepted by the Landlord on November 20, 1990

1. Paragraph one of Schedule "A" of the said Offer to Lease states that the Parking Authority's Offer is conditional upon receiving approval of The Council of The Corporation of the City of Hamilton. The City hereby offers to amend the said Offer to Lease on the following terms.
2. That the Landlord and the Hamilton Parking Authority agree by joining herein that the Offer to Lease shall be amended pursuant to provisions of this Schedule. This Amending schedule shall be open for the Landlord to accept by executing same and delivering it to the City c/o the City Clerk on or before December 20, 1990.
3. The Lease by the Landlord provided for in the Offer to Lease shall be to The Corporation of the City of Hamilton as Lessee (in place of the Hamilton Parking Authority referred to in the Offer to Lease). All other references in the Offer to Lease, its Schedules including this Schedule "C" to "Tenant" shall mean The Corporation of the City of Hamilton. The City and the Landlord shall be entitled to enforce the Offer to Lease as amended hereby the one against the other.
4. The Lease shall have an initial fixed term commencing February 1, 1991 and expiring on November 30, 1991. (hereinafter referred to as the "initial term"). The Lease in a form satisfactory to the Landlord and to the Tenant shall include the terms provided for in the said Offer to Lease as amended herein.
5. In consideration for the Tenant's work in demolishing the buildings on the leased property during the initial term, the Lease shall include:
 - (i) an Option to renew in favour of the Tenant for the period December 1, 1991 to and including the last day of January, 1996 upon the rental rate and other financial terms set out in the Offer to Purchase for such period of time.
 - (ii) the Option may be exercised by the Tenant upon Notice in writing to the Landlord up to and including the 30th day of November, 1991. The said Lease renewal shall be conditional upon the Tenant obtaining the approval to the proposed renewal term from the Ontario Municipal Board. The Tenant shall take all necessary steps to expeditiously and forthwith proceed with and obtain approval from the O.M.B.. In the event such approval is not received by the Tenant prior to November 30, 1991, then the Option to lease between the parties shall be null and void.
6. The City as Lessee of the property shall enter into the proposed Lease with the Landlord and entrust to the Hamilton Parking Authority the management and administration of the proposed parking facilities on the lands leased to the City.

HAMILTON PARKING AUTHORITY, joins herein to approve this Schedule to the said Offer to Lease on the day of December, 1990.
Per:

General Manager c/s

The Corporation of the City of Hamilton hereby offers to amend the said Offer to Lease with this Amending Schedule in Witness Whereof The Corporation of the City of Hamilton has executed this Schedule, this day of December, 1990.

THE CORPORATION OF THE CITY OF HAMILTON

Mayor c/s City Clerk

IN WITNESS WHEREOF the Landlord has executed this Schedule to accept this Offer to amend the said Offer to Lease made by The Corporation of the City of Hamilton and the Hamilton Parking Authority this day of December, 1990.

LEGGAT INVESTMENTS LIMITED
Per:

OAKLAND "6" LIMITED
Per:

c/s

c/s

REVISED PROCEDURES FOR THE MONITORING AND CONTROL OF CURRENT ACCOUNTS OTHER THAN LOCAL BOARDS OR COMMISSIONS

Schedule A
Page 1

PRESENT PROCEDURE

MAXIMUM NOW

PROPOSED

WHY THE CHANGE?

1) Additional funding to
an existing account:

a) Dept. head

\$500 transfer

b) Treasurer (for dept.)

\$500 overdraft

c) C. A. O.

\$1,000 transfer
\$1,000 overdraft

d) Standing Committee

\$5,000 transfer

e) Finance and Administration
Committee

\$5,000 overdraft
\$5,000 - Contingency

f) City Council

over \$5,000 transfer
over \$5,000 overdraft
over \$5,000 - Contingency

2) Additional funding for
new/unbudgeted items

a) C. A. O.

\$1,000 transfer

b) Standing Committee

\$5,000 transfer

c) Finance and Administration
Committee

\$5,000 - Contingency

d) City Council

over \$5,000 - Contingency

- to allow for political review of budget appropriations which will not have changed from the original approvals (with the exception of salaries/wages/benefits if contracts not settled before budget is set).
e.g.; with the present practice of transferring appropriations from one a/c to another during the year, adjustments are made up or down as necessary thereby bringing them more into line as to what the "actuals" would be. Some councillors have indicated in the past that budget amounts should not change and that an explanation be given if required during budget review as to the reason for under/over-spent accounts; this proposal will accomplish that wish.

- to allow for adequate spending authority and control while reducing the administrative process required at the political and administrative levels.
e.g.: at present control in most cases is at the line item account and a series of administrative steps must now be taken to allow overexpenditure of a particular item, affecting dept. staff, Treasury staff, Legislative staff, and Committee and Council agendas. It is proposed to significantly reduce the steps in this process.

- to give depts. more flexibility in spending when adjustments must be made in operations due to changing priorities and conditions during the year.
e.g.; opportunities may arise which were unforeseen earlier, and it may be necessary to overspend in one area and to reduce or delay expenditures in another area to compensate. The "bottom line" responsibility approach proposed for most depts. will facilitate this process.

Appendix "D" as referred to in
Section 22 of the TWENTY-SEVENTH
Report of the Finance and
Administration Committee for 1990.

REVISED PROCEDURES FOR THE MONITORING AND CONTROL OF CURRENT ACCOUNTS OTHER THAN LOCAL BOARDS OR COMMISSIONS

PRESENT PROCEDURE

3)ii) Travel - Standing Committee approves conferences and conventions list during budget presentations

a) Standing Committees recommend to Council the attendance of any Council members at any conference or convention

b) Mayor approves attendance of C.A.O.

c) C.A.O. approves for department heads (If disapproved by C.A.O., department head may appeal to Committee)

d) C.A.O. and department head approve for staff

NOTE: -dept. head can re-schedule proposed list
-approval sought if required prior to budget

3)iii) Seminars and Training Courses

-same procedure as for Travel except no detailed list required to be approved

3)iii) Business Travel Expenses

-Mayor approves for Councilors, C.A.O., and citizen members of sub-committees

-C.A.O. approves for department heads, and department heads approve for employees

PROPOSED

no change

add "citizen members of any committees"

no change

no change

no change

no change
no change

as in 3)ii) but only if overnight stay and/or per diem required

no change

no change

WHY THE CHANGE?

to clarify status of citizen members attending conferences or conventions

to clarify the handling of majority of courses taken on a daily basis

REVISED PROCEDURES FOR THE MONITORING AND CONTROL OF CURRENT ACCOUNTS OTHER THAN LOCAL BOARDS OR COMMISSIONS

Schedule A
Page 3

PRESENT PROCEDURE

- 4) Equipment - Standing Committee approves detailed list during budget presentation

NOTE: approval must be sought if required to obtain prior to budget estimates being approved, by:

- C.A.O. up to \$1,000
- Standing Committee up to \$5,000
- Finance and Administration Committee and City Council for over \$5,000

2) Expenditure Account Control

- (i) -Administrative depts.-now controlled by individual account line (line by line)
- (ii) -Administrative cost centre in Operating depts. now controlled line by line
- (iii)-Operating depts. (Streets, Parks, Recreation) now controlled by function (+Property Maintenance)
- (iv) -other Operating depts. (Cemeteries, Culture, Fire, Fleet Services, Local Roads, C.U.P., City Garage, and Traffic) now controlled by cost centre
- (v) -financial and miscellaneous accounts - now controlled by Treasurer and reported to F. & A. Committee
- (vi) -Grants - now monitored and controlled by the "Grants Co-ordinator" (a Treasury employee)

PROPOSED

no change

)
) no changes
)
)

department total
(bottom line)

cost centre total
(total administration)

no change (except
Prop.Maint.by function)

department total
(bottom line)

no change

no change

WHY THE CHANGE?

See items 1) and 2) for detailed explanation.
Essentially, giving departments "bottom line" control of their accounts will reduce administrative and legislative paperwork, provide for more departmental responsibility for control and monitoring of accounts, and allow for more flexibility as conditions change.

REVISED PROCEDURES FOR THE MONITORING AND CONTROL OF CURRENT ACCOUNTS OTHER THAN LOCAL BOARDS OR COMMISSIONS

Schedule A
Page 4

PRESENT PROCEDURE

6) Expenditure Account Control - CONTINUED

(vii) - all other non-departmental accounts, now controlled by Treasury and/or sub-committee secretaries

6) All other expenditures not covered by the purchasing procedure and excluding those which Treasurer must pay, i.e., payroll, debt, utilities, taxes, etc.

- a) Department head - up to \$5,000
- b) Department head and C.A.O. - up to \$10,000
- c) Standing Committees and Council - over \$10,000

7) Holdbacks to Contractors - all go to Committee (taken on contracts worth \$50,000 or more)

PROPOSED

Secretary of appropriate Standing Committee to be responsible for monitoring and control.

increase to \$10,000

increase to \$20,000

increase to \$20,000+

pay according to established procedure; no Standing Committee approval should be required

WHY THE CHANGE?

to clarify responsibility for the following functions or sub-committees:

F. & A.: Hosting and public relations accounts, HSPCA, Municipalization and Status of Women Committees.

P. & D.: Municipal Non-Profit, Hamilton Housing Company, Committee of Adjustment, and Mayor's Award Program.

P. & R.: Hamilton Veteran's Committee and Waterfront Project

- normal inflationary pressures over past 10 years would almost equate to double the original limit
- reduce administrative procedures and committee and council agenda items which should be routine
- e.g., outside legal consultants, training courses, memberships and subscriptions, etc.

- reduce administrative procedures and committee items which should be paid in accordance with established procedures and controls

PROCEDURES - CONSTRUCTION AND DEMOLITION CONTRACT REQUIREMENTS

- A.* Projects for construction and demolition work valued up to \$100 000.
- a) Quotations to be invited and opened by the Manager of Purchasing
 - b) Purchase order only be issued
 - c)** Two year warranty required where directed
 - d)** Public Liability and Property Damage insurance required where directed
 - e)** Performance Surety required where directed
 - f) Bid Surety required where directed
 - g) No holdback be retained
 - h) Short form specifications to be used
 - i) The Bidders' Lists of the Purchasing Division of the City of Hamilton be updated at least annually by the placement of an advertisement in The Spectator, inviting companies and individuals who may be interested in providing work, services or materials for the City to have their name placed on the City of Hamilton's Bidders' List
 - j)** The prevailing rates of wages, conditions and benefits as stated in the City of Hamilton Wage Schedule as maintained by the Commissioner, Human Resources Centre, shall govern all persons employed through contracts and sub-contracts for construction and demolition projects awarded by the City. It shall be the responsibility of the Commissioner, Human Resources Centre to consider all claims made pursuant to this clause where directed.
 - k)** The contractor shall maintain a complete set of payroll, accounts and records relating to the project and the City Treasurer and Commissioner, Human Resources Centre may inspect such records as directed.
 - l) A statement of the current status from the Workers Compensation Board will be required from time to time
 - m)** Inspection, testing and examination of the work required by the City in the specifications shall be done at the Contractor's own expense where directed
 - n)** Inspection, testing and examination of the work as directed by the City, other than in the specifications, shall be done by the contractor at the city's expense unless such inspections and examinations indicate that the work is not in accordance with the specifications, in which case, such inspections, testing and examinations shall be at the expense of the contractor where directed.
 - o)*** The contractor and sub-contractor be required to procure at least one price from local manufacturers where possible.
 - p) Only licensed trucks or carters operating in accordance with City of Hamilton By-Law 79-323 shall be used.
 - q)**** Withdrawal of sealed quotations after stated closing time will not be allowed.

Sealed

quotations will not be considered unless accompanied by prescribed sureties.
Sealed quotations will not be accepted for any reason after official closing time.

- * Value was "under \$25 000" for Part A and up to \$50 000 for Part B
- ** The words "where directed" have been added
- *** Originally read "procure tenders or prices from local manufacturers"
- **** New clause

(14)
B.* Projects for construction and demolition work valued from \$100 000 to \$200 000.

- a) Tenders to be called
- b)** Formal contract to be executed where directed
- c) Two year warranty required
- d) Public Liability and Property Damage insurance required
- e) Performance Surety required
- f) A holdback will be retained where directed
- g) Bid Surety required
- h) Short form specifications to be used
- i)** The prevailing rates of wages, conditions and benefits as stated in the City of Hamilton Wage Schedule as maintained by the Commissioner, Human Resources Centre, shall govern all persons employed through contracts and sub-contracts for construction and demolition projects awarded by the City. It shall be the responsibility of the Commissioner, Human Resources Centre to consider all claims made pursuant to this clause where directed.
- j)** The contractor shall maintain a complete set of payroll, accounts and records relating to the project and the City Treasurer and Commissioner, Human Resources Centre may inspect such records where directed.
- k)**** Before tenders estimated to be \$100 000 and over are advertised, the project is to be approved by Council
- l) A statement of the current status from the Workers Compensation Board will be required from time to time
- m)** Inspection, testing and examination of the work required by the City in the specifications shall be done at the Contractor's own expense where directed
- n)** Inspection, testing and examination of the work as directed by the City, other than in the specifications, shall be done by the contractor at the city's expense unless such inspections and examinations indicate that the work is not in accordance with the specifications, in which case, such inspections, testing and examinations shall be at the expense of the contractor where directed.
- o) The contractor shall ensure all parties under his jurisdiction are informed of all conditions of the Tender/Contract Documents.
- p) During periods of extreme unemployment, the City may request the Contractor to institute a work sharing program which must be agreed upon by the contractor and the individual unions, if any.
- q)*** The contractor and sub-contractor be required to procure at least one price from local manufacturers where possible.
- p) Only licensed trucks or carters operating in accordance with City of Hamilton By-Law 79-323 shall be used.
- r) Withdrawal of sealed tenders after stated closing time will not be allowed. Sealed tenders will not be considered unless accompanied by prescribed sureties. Sealed tenders will not be accepted for any reason after official closing time.
- s) All sub-contractors and/or own forces are to be indicated on the list of sub-contractors or tenders may be considered an improper bid.

* Originally read "valued at \$50 000 or more"

** The words "where directed" have been added

*** Originally read "procure tenders or prices from local manufacturers"

**** Originally read "\$50 000"

C. Projects for construction and demolition work valued over \$200 000, City Architectural specifications will be used.

(iii)

The following clause has been deleted as it is no longer enforceable according to our Legal and Human Resources Departments.

Preference to employment of skilled or common labourers, or workmen who have resided in Hamilton for at least one year will be given.

The following clause has been deleted as requested by our Treasury Department.

No hold-back be retained for contracts under \$100,000.00.

**SPENDING LIMITS FOR THE
PURCHASING POLICIES OF THE REGION AND CITY**

	Authorization Up to Present <u>Region</u>	<u>City</u>	Inflation @ 250% <u>since 1975</u>	Proposed for City & <u>Regin</u>
Field Purchase Orders	\$ 100	\$ 100	\$ 250	\$ 200
Purchase Orders - Staff	\$10,000	\$ 5,000	\$12,500	\$15,000
- CAO	\$15,000	\$10,000	\$25,000	\$25,000
- Mayor/Chairman and CAO	\$25,000	Nil		\$50,000
- Council	Over \$25,000	Over \$10,000	\$25,000	Over \$50,000

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at September 30, 1990 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project Start (3)	Finish (4)	Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
							Timing (8)	Budget (9)	
(1-50)	<u>General Administration</u>								
2	Ceramic Belting Replacement and Window Repair - City Hall	01/85	being reviewed	40	-	40	No	No	CF 328541002
9	Data Base and Fourth Generation Language	09/86	12/90	550	330	220	Yes	Yes	CF 258651002
10	Handicapped Access to Recreational Buildings	09/86	12/90	100	6	94	No	Yes	CF 708641003
11	Energy Conservation Projects	05/86	12/90*	50	39	11	Yes	Yes	CF 328641001
17	Computer Software Project - 1987 Allocation	08/87	12/90	100	80	20	Yes	Yes	CF 258751002
25	Computer Software Project - 1988 Allocation	11/88	12/92	125	-	125	Yes	Yes	CF 258851002
27	Computer Environment Improvements	11/88	12/90	50	3	47	Yes	Yes	CF 258851001
32	New Computer Workstations	05/89	Completed*	75	75	-	Yes	Yes	CF 258951001
33	Computer Software Project - 1989 Allocation	01/90	1991	150	-	150	Yes	Yes	CF 259051015
34	Replacement of Rink Slabs and Boards - Mountain Arena	11/89	Completed*	496	476	20	Yes	Yes	CF 318941014
35	Energy Conservation Project	11/89	1991	50	-	50	Yes	Yes	CF 318941016
36	Major Maintenance Civic Buildings - 1990 Allocation	05/90	12/90	250	-	250	Yes	Yes	CF 319041003

Appendix "F" as referred to in
Section 25 of the TWENTY-SEVENTH
Report of the Finance and
Administration Committee for 1990.

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

(000's)
as at September 30, 1990

Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Is the Project on Target?		Centre Number (10)
		Start (3)	Finish (4)				Yes or No		
							Timing (8)	Budget (9)	
General Administration-Ctd.									
37	Computer Software Project								
	- 1990 Allocation	03/90	12/90	125	-	125	Yes	Yes	CF 259051013
38	Accommodation Requirements								
	- Legal Department	11/90	05/91	175	-	175	Yes	Yes	CF 319041004
39	Hamilton Housing Company - Macassa Park Apts. - Replace Heating and Electrical System	1990	1990	165	-	165	Yes	Yes	CF 319041005
40	Asbestos Abatement Program	1990	1992	550	-	550	Yes	Yes	CF 319041007
41	H.S.P.C.A. - Capital Grant	03/90	N/A*	282	282	-	N/A	Yes	CF 259041008
42	Computer Workstation Furniture	01/90	12/90	50	10	40	Yes	Yes	CF 259051012
43	Accommodation Requirements								
	- City Hall - 1990 Allocation	05/90	12/90	150	-	150	Yes	Yes	CF 319041002
45	Major Upgrading of City Hall								
	- Needs Study	on hold		100	-	100	No	Yes	CF 319055004
46	Major Maintenance to Civic Buildings - 1989 Allocation	10/89	1990	250	30	220	No	Yes	CF 318941003
Protection to Persons & Property									
56	Fire Stn. Stonechurch & Upper Wellington - Construction	05/89	05/91	1,400	212	1,188	Yes	Yes	CF 488941001

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

		as at September 30, 1990 (000's)					Is the Project on Target?			Centre Number (10)
Item No. (1)	Project Description (2)	Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No			
		Start (3)	Finish (4)				Timing (8)	Budget (9)		
(101-150) Engineering**										
103	Road Access - Riverdale East Neighbourhood	08/86	10/90	445	269	176	Yes	Yes	CF 528643006	
108	High Level Bridge Street Lighting	11/87	12/90	155	102	53	Yes	Yes	CF 528744002	
109	1988 Reconstruction Program	01/88	12/90	7,695	7,380	315	Yes	Yes	CF 528842001-047	
110	Replacement of Traffic Operations Centre	09/88	03/92	6,830	494	6,336	Yes	Yes	CF 758841001	
111	Greenhill Ave. Construction of Finished Roadway, Curbs & Sidewalks	08/88	12/89	860	623	237	Yes	Yes	CF 528843002	
112	Storm Drainage Projects	12/88	12/91	180	66	114	Yes	Yes	CF 528849001	
113	1989 Reconstruction Program	01/89	12/90	8,200	6,809	1,391	Yes	Yes	CF 528942001-056	
114	Albright Road Extension	05/89	12/90	104	79	25	Yes	Yes	CF 528943002	
115	1990 Reconstruction Program	03/90	12/91	8,800	2,870	5,930	Yes	Yes	CF 529042001	
116	Catch Basin and Drain Connections	03/90	12/90	150	-	150	Yes	Yes	CF 529043007	
(201-250) Parking Authority										
201	Parking Facilities - Property Acquisition	02/84	Unknown	1,700	1,431	269	No	Yes	CF 708445001	
202	Construct Parking Facilities	09/85	1991*	590	282	308	Yes	Yes	CF 908545001	
211	Upgrade Existing Parking Facilities	03/90	12/90	100	-	100	Yes	Yes	CF 909045003	
212	Study and Design - Existing and Future Parking Projects	1990	1990	50	-	50	Yes	Yes	CF 909045004	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at September 30, 1990 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(201-250) Parking Authority-Ctd.									
213	John/Rebecca Decking	1990	Unknown*	2,600	-	2,600	No	Yes	CF 909045005
214	Land Acquisition - Various	1990	1990	400	300	100	Yes	Yes	CF 909045006
215	King Wm./Mary Decking	1990	1991*	100	-	100	No	Yes	CF 909045007
(251-300) Department of Public Works									
267	Public Works Equipment - Vacalls, Steam Jenny, Elephant Vacs	03/90	03/91	222	179	43	Yes	Yes	CF 609051014
268	Underground Fuel Tanks - Various Locations	03/90	12/90	130	130	-	Yes	Yes	CF 649041007
269	Renovations to Office & Yard & Ventillation System	03/90	08/91*	169	73	96	Yes	Yes	CF 649041012
270	- Fleet Services	03/90	12/91	359	8	351	Yes	Yes	CF 609041009
271	Upper Ottawa Depot	03/90	08/91*	107	17	90	Yes	Yes	CF 629045009
272	Construct/Repair Parking Lots Emergency Crest Stabilization	04/90	1990	429	366	63	Yes	Yes	CF 629049003

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at September 30, 1990 (000's)					Bala Avail (7)
		Month/Year of Project		Gross Cost (5)	Expend and Committed (6)		
		Start (3)	Finish (4)				
<u>(301-350) Department of Culture & Recreation</u>							
309	West Mountain Twin Pad Arena	1990	1992	9,668	-	9,668	
311	Bike Paths (Phases 2, 3 & 4)	05/87	12/90	990	141	84	
315	Senior Citizens Drop-In-Centre (Lake Avenue)	05/88	12/91	100	7	9	
318	Y.W.C.A. Capital Grant - 1990 Portion	03/90	12/90	150	150	-	
319	Playground Equipment - Various Locations	03/90	12/90	175	149	26	
320	Sir Winston Churchill Centre - Filtration System	04/90	Completed*	150	150	-	
321	Senior Citizens Centre	11/90	11/92	3,500	-	3,500	
322	Twinning Mountain Arena	1990	1990	2,012	1,824	188	
<u>(351-400) Parks Division</u>							
351	Renovate Chedoke Golf Parking Lot	1989	08/91*	204	90	114	
352	King's Forest Parking Lot Improvements	1990	09/91*	96	-	96	
353	Bocci Courts at McCulloch, Manson and Rosedale	1990	1990	45	-	45	
356	Chedoke Golf Course Storage and Workshop	06/86	1991	161	-	161	
363	Mohawk Sports Park Construction of Utility Building	07/87	06/91	222	173	49	

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at September 30, 1990 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(351-400) Parks Division-Ctd.									
367	Sackville Hill Park - Paving Parking Lot	05/88	Completed*	60	60	-	Yes	Yes	CF 628845001
368	Mountain Drive Park Repairs	05/88	12/91*	100	24	76	Yes	Yes	CF 628854003
372	T.B. McQueston Park Development - Stage 1	05/88	12/92	50	18	32	Yes	Yes	CF 628854004
378	Mohawk Sports Park, Irrigation System, Bleachers and Floodlighting	05/89	12/92	400	116	284	Yes	Yes	CF 628954001
379	Sam Lawrence Park - Upgrading	05/89	12/93	2,325	192	2,133	Yes	Yes	CF 628954002
381	Park Development and Redevelopment by Priority (1989)	05/89	12/90	488	449	39	Yes	Yes	CF 628954007
383	Bow Valley Creek - Alterations	05/89	Completed*	60	60	-	Yes	Yes	CF 628949001
384	Renovations/Repairs - Ivor Wynne Stadium	03/90	08/91*	345	-	345	Yes	Yes	CF 629054017
385	Floodlighting - Sam Manson Park	06/90	12/90	86	-	86	Yes	Yes	CF 629054011
386	Park Development and Redevelopment (1990)	03/90	08/91*	1,288	316	972	Yes	Yes	CF 629054012
387	Gage Park - Perennial Borders	03/90	06/91*	22	4	18	Yes	Yes	CF 628954003
388	Red Hill Creek Master Plan Implementation	03/90	06/91	1,157	-	1,157	Yes	Yes	CF 629054013
389	T.B. McQueston Park Development - 1990 Allocation	03/90	12/96	170	1	169	Yes	Yes	CF 629054014
390	Fieldhouse - Mohawk Sports Park	03/90	12/91	440	-	440	Yes	Yes	CF 629054018
391	Facilities Building - Gage Park	03/90	09/91*	460	-	460	Yes	Yes	CF 629054019

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at September 30, 1990 (000's)					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(351-400) Parks Division-Ctd.									
392	Churchill Lawn Bowling Club								
393	- Lighting System Replacement Mountain Park - Crest Stabilization Plan	03/90	12/90	31	-	31	Yes	Yes	CF 629054015
		03/90	12/92	250	-	250	Yes	Yes	CF 629049004
(401-450) H.E.C.F.I. (401-410) Corporate									
403	Automated Facilities Management Computer System								
405	Automated Facilities Management Computer System	06/8	Completed*	83	83	-	Yes	Yes	CF 928651003
406	T.V. Monitor Message System	08/90	12/90	75	-	75	Yes	Yes	CF 929051006
		06/89	12/91*	50	-	50	Yes	Yes	CF 928941007
(411-420) Copps Coliseum									
411	Victor K. Copps - Construction Renovations	08/83	12/91	41,429	40,615	814	Yes	Yes	CF 928341001-019
412	New Equipment & Renovations	07/87	03/91*	130	88	42	Yes	Yes	CF 928741001
413	New Equipment	04/88	06/91*	120	84	36	Yes	Yes	CF 928841002
414	New Equipment	06/89	12/90	97	81	16	Yes	Yes	CF 928941004
415	New Equipment & Renovations	09/90	02/91*	50	-	50	Yes	Yes	CF 929051002
416	Private Boxes - Study	10/90	03/91*	100	-	100	Yes	Yes	CF 929051003
417	Satellite Dish	10/90	02/91*	70	-	70	Yes	Yes	CF 929051004

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

Item No.	Project Description	as at September 30, 1990				Is the Project on Target?		Centre Number
		Month/Year of Start	Month/Year of Finish	Gross Cost	Expended and Committed	Balance Available	Timing	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(10)
(401-450) H.E.C.F.I.-Ctd.								
(421-430) Hamilton Place								
421	Great Hall Sound Console	11/88	02/91*	202	72	130	Yes	CF 928851003
422	Great Hall Banners	05/89	Unknown*	130	3	127	Yes	CF 928941001
423	Furniture, Equipment & Renovations	07/90	03/91*	160	10	150	Yes	CF 929051005
424	Great Hall Banners	09/90	Unknown*	570	-	570	Yes	CF 929041011
(431-440) Convention Centre								
433	Equipment & Renovations	06/89	12/91*	320	113	207	Yes	CF 928941006
434	Furniture, Equipment, Renovations	07/90	12/91*	62	5	57	Yes	CF 929051007
(441-450) C.U.P.								
442	Replacement and Overhaul - Equipment	06/89	05/91*	115	24	91	Yes	CF 928941005
443	Equipment & Renovations	07/90	05/91*	90	15	75	Yes	CF 929041001
(451-500) Hamilton & Scourge								
452	Laboratory Facility & Equipment	06/89	12/90	150	-	150	Yes	CF 738841002
453	Hamilton & Scourge - Jason Project	03/90	03/91	410	386	24	Yes	CF 738904001

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS
(000's)

Item No. (1)	Project Description (2)	as at September 30, 1990					Is the Project on Target?		Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)	Yes or No		
		Start (3)	Finish (4)				Timing (8)	Budget (9)	
(501-550) Hamilton Public Library Board									
503	Terryberry Library Addition - 2nd Floor	08/87	12/90	2,471	1,307	1,164	Yes	Yes	CF 918741001
508	Furniture & Equipment - Office Computerization	09/88	04/91*	40	8	32	Yes	Yes	CF 918851002
509	Furniture & Equipment - Office Computerization	06/89	10/90*	20	12	8	Yes	Yes	CF 918941010
510	Furniture & Equipment - Office Automation	09/90	02/91*	13	-	13	Yes	Yes	CF 919051008
511	Automation of Information Files	09/90	12/90	131	-	131	Yes	Yes	CF 919051009
512	Office Automation	09/90	02/91*	72	6	66	Yes	Yes	CF 919051010
513	Automation & Collection Access - Phases II-V	09/90	04/91*	181	-	181	Yes	Yes	CF 919051011
514	Sherwood Library Branch Relocation	05/90	12/90*	356	32	324	Yes	Yes	CF 919041014
515	Library - Land Acquisition South East Mountain	06/90	12/90	555	17	538	Yes	Yes	CF 919041010
(601-650) Planning									
601	Enclaves Clearance	08/87	12/91	3,000	1,426	1,574	Yes	Yes	CF 308750001

City of Hamilton
Treasury

SUMMARY OF CAPITAL PROJECTS IN PROGRESS

Item No. (1)	Project Description (2)	as at September 30, 1990 (000's)					Is the Project on Target? Yes or No Timing (8)	Budget (9)	Centre Number (10)
		Month/Year of Project		Gross Cost (5)	Expended and Committed (6)	Balance Available (7)			
		Start (3)	Finish (4)						
		(701-750) Community Development							
701	Downtown Action Plan - Phase III B	07/86	12/91*	1,300	1,213	87	Yes	Yes	CF 428603001
702	Downtown Action Plan - Phase II	07/85	12/90	1,603	1,598	5	Yes	Yes	CF 428403001
704	James St. North Streetscape	07/86	12/90	1,994	1,968	26	Yes	Yes	CF 428103001
706	Downtown Action Plan - Phase IV	05/87	12/92*	1,199	762	437	Yes	Yes	CF 428803001
707	O.N.I.P. Corktown/Stinson	05/87	07/91*	1,028	1,012	16	Yes	Yes	CF 428701001
708	Facade Improvement Programme	07/87	12/90	800	415	385	Yes	Yes	CH 4X001 00321
711	Commercial Improvement Programme	06/87	12/91	2,500	731	1,769	Yes	Yes	CF 428705001
715	P.R.I.D.E. Programs - Crown Point West/Stipeley - Phase II	05/89	12/92	700	41	659	Yes	Yes	CF 428902002
716	Waterfront Redevelopment (1990 Portion) - Hamilton's	1990-91	1994-95	500	-	500	No	Yes	CF 418454011
717	West Harbour*** Central/Beasley Housing	1990	1993	1,860	-	1,860	Yes	Yes	
718	Intensification Program P.R.I.D.E. Program -	1990	1992	627	-	627	Yes	Yes	CF 429002003
719	Beasley/Central Barton Street Demonstration Loan Program	11/90	Unknown	200	-	200	Yes	Yes	

Notes: * Indicates date has changed from previous reporting.

** With exception of Item 110, status information has not been returned.

*** Proposal for funds to be allocated to Pier 4 Park.

1990 November 22

IRH:jc

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25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

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